Anno xxvii. Reginæ Elizabethæ.

¶ At the Parliament

begunne and holden at Weſtminſter, the xxiij. day of Nouember, in the **xxvii. yeere of the reigne of our moſt** gracious Soueraigne Lady Elizabeth, by the grace of God, of England, France, and Ireland Queene, defender of the Faith, &c. and there continued, vntill the xxix. of March following:

To the high pleaſure of Almightie God, and the weale publike of this Realme, were enacted as followeth.

Imprinted at London by Chriſtopher Barker, Printer to the Queenes moſt excellent Maieſtie.

1585.

¶ The Table of the Statutes printed.

1 An Act for prouision to be made for the suertie of the Queenes Maiesties most Royall person, and the continuance of the Realme in peace.
2 An Acte against Iesuites, Seminarie Priestes, and such other like disobedient persons.
3 An Act for the explanation of the Statute made Anno xiii. of the Queenes Maiesties reigne, entituled, An Acte to make the landes, tenementes, goods, and chattels of Tellors, Receiuers, &c. liable to the paiment of their debts.
4 An Acte against Couenous and fraudulent Conueyances.
5 An Acte for the expedition of Iustice in cases of Demurrors and pleadings.
6 An Acte for the returning of sufficient Iurors, and for the better expedition of Tryals.
7 An Acte for the leuying of Issues lost by Iurors.
8 An Act for redresse of erroneous Iudgements in ꝑ Court, cõmonly called, The Kings Bench.
9 An Acte for reformation of errors in Fines and Recoueries, in the xii. Shires of Wales, Towne and Countie of Hauerford west, with the Counties Palantine.
10 An Acte for the continuance of a former Statute, entituled, An Acte to redresse disorders in common Informers vpon penall Statutes, made in the xviii. yeere of the Queenes Maiesties reigne.
11 An Acte for the reuyuing, continuance, explanation, and perfecting of diuers Statutes.
12 An Acte for the swearing of vnder Shirifes, and other vnder Officers and Ministers.
13 An Acte for the following of Huye and Crye.
14 An Acte for the reuyuing of a former Statute, for the true making of Maulte.
15 An Acte for the bringing in of Staple fish and Hearings into this Realme.
16 An Acte touching Artificers vsing the cutting of Leather.
17 An Acte touching the breadth of white wollen Clothes made in the Counties of Sommerset, Wiltesh. Glouc. and Oxon. &c.
18 An Acte concerning making of wollen Clothes in the Counties of Deuon and Cornewall, called plaine white Straightes, and Pinned white Straightes.
19 An Act for the preseruation of Timber in the wieldes of the Counties of Sussex, Surrey, and Kent, & for the amendment of high waies decayed by carriage to & from Iron Milles there.
20 An Acte for the preseruation of the hauen at Plymmouth.
21 An Act for the preseruation of Orforde Hauen.
22 An Acte for the bringing of the Hauen of the citie of Chichester by a newe cut Channell to the suburbes of the same Citie.
23 An Acte for clothmaking in the Townes of Boxstead and Langham, in the Countie of Essex.
24 An Acte for the keeping of the Sea bankes, and Sea workes, in the Countie of Norffolke.
25 An Acte for the explanation of the Statute for the maintenance of Rochester Bridge.
26 An Acte for explaning of the Statute for the amending of the high wayes betweene Middleton and the Kings Ferrie, leading into the Isle of Sheppey in the Countie of Kent.
27 An Acte for the Inning of Earith and Plumsted Marshe.
28 An Acte of one Subsidie graunted by the Cleargie.
29 An Acte of one Subsidie and two Fifteenes and Tenthes graunted by the Temporaltie.
30 An Act for the Queenes Maiesties most gracious, generall and free pardon.

¶ The Table of the Statutes not printed.

1 An Act for the maintenance of the Peere or Cob of Lyme Regis in the Countie of Dorset.
2 An Act for the confirmation of her Maiesties letters patents, graunted to the Queenes Colledge in Oxeford.
3 An Act for the confirmation of her Maiesties letters patents, graunted vnto the Master, Fellowes and Schollers of Clare hall in Cambridge.
4 An Act touching diuers assurances made by the Bishop, and Deane and Chapter of Exeter.
5 An Act for the good gouernement of the Citie or Borough of Westminster.
6 An Acte for the establishing of a Ioynter vnto Katherine Countesse of Huntington.
7 An Acte for the assurance of certaine landes vnto Sir Thomas Lucye, and others.
8 An Act for the assurance of certaine lands in the Counties of Norff. Suff. Lincolne, and Warwicke, vnto the L. Willoughbie and Erisbie, according to a decree in the Chauncerie.
9 An Acte for the assurance of certaine landes at Hackney, vnto the Lord Hunsdon.
10 An Acte concerning the Lord Dacres, and the Lord Norris.
11 An Acte for the restitution in blood of the Lord Thomas Howard.
12 An Acte for the assurance of certaine landes vnto George Chewne, Giles Flind, and Christopher Puckering, and their heires.
13 An Acte for the establishment of an awarde made betweene Robert Lord Riche, and Sir Thomas Barington Knight, their heires and assignes.
14 An Acte for the assurance of certaine lands and tenements in the Citie of London vnto Jonas Scot, according to a decree in the Starchamber.
15 An Acte for the true answering of the debtes of Edward Fisher Esquier.
16 An Acte for the incorporation of the Hospitall of Christ, in the Towne of Sherborne in the Bishopricke of Durham.
17 An Acte for the Hospitall of Eastbridge within the Citie of Canterburie.
18 An Acte for the pauing of the Towne of newe Windsor in the Countie of Berk.
19 An Act for the pauing of the Towne of Newarke vpon Trent, in the Countie of Notingham.

¶ An

An acte for prouision to be made for the suertie of the Queenes Maiesties most Royal person, and the continuance of the Realme in peace.

Chapter i.

Forasmuch as the good felicitie and comfort of the whole estate of this Realme consisteth (onely next vnder God) in the suerty and preseruation of the Queenes most excellent Maiestie: And for that it hath manifestly appeared, that sundrie wicked plots and meanes haue of late bene deuised and layde aswell in forreine partes beyonde the Seas, as also within this Realme, to the great endaungering of her Highnes most Royal person, and to the vtter ruine of the whole Common weale, if by Gods mercifull prouidence the same had not bene reuealed: Therefore for preuenting of such great perils as might hereafter otherwyse growe, by the like detestable and deuilish practises, at the humble suite and earnest petition and desire of the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same Parliamēt: Be it enacted and ordeined, if at any time after the end of this present Session of Parliament, any open inuasion or rebellion shall bee had or made into or within any of her Maiesties Realmes or Dominions, or any Act attempted, tēding to the hurt of her Maiesties most Royall person, by or for any person that shall or may pretende any Title to the Crowne of this Realme after her Maiesties decease: Or if any thing shall be cōpassed or imagined, tending to the hurt of her Maiesties Royall person, by any person, or with the priuitie of any per-

ſon that ſhall or may pretende Title to the Crowne of this Realme: That then by her Maieſties Commiſſion vnder her great Seale, the Lordes and others of her Highneſſe priuie Counſell, and ſuch other Lordes of Parliament to bee named by her Maieſtie, as with the ſaide priuie Counſell ſhall make vp the nomber of xviii. at the leaſt, hauing with them for their aſſiſtance in that behalfe ſuch of the Iudges of the Courtes of Recorde at Weſtminſter, as her Highneſſe ſhall for that purpoſe aſſigne and appoint, or the more part of the ſame Counſell, Lordes and Iudges, ſhall by vertue of this Acte haue authoritie to examine all and euery the offences aforeſaide, and all circumſtances thereof, and thereupon to giue ſentence or Iudgement, as vpon good proofe the matter ſhall appeare vnto them: And that after ſuch ſentence or Iudgement giuen, and declaration thereof made and publiſhed, by her Maieſties Proclamation vnder the great Seale of Englande, all perſons againſt whome ſuch ſentence or Iudgment ſhall bee ſo giuen and publiſhed, ſhall bee excluded and diſhabled for euer to haue or claime, or to pretende to haue or claime the Crowne of this Realme, or any of her Maieſties Dominions, any former Lawe, or Statute whatſoeuer to the contrarie in any wiſe notwithſtanding: And that thereupon all her Highneſſe ſubiectes ſhall and may lawfully by vertue of this Acte, and her Maieſties direction in that behalfe, by all forcible and poſſible meanes purſue to death euery ſuch wicked perſon, by whome, or by whoſe meanes, aſſent or priuitie, any ſuch inuaſion or rebellion ſhall bee in forme aforeſaide denounced to haue bene made, or ſuch wicked Acte attempted, or other thing compaſſed or imagined againſt her Maieſties perſon, and all their aydours, comfortours and abettours.

And if any ſuch deteſtable Acte ſhall bee executed againſt her Highneſſe moſt Royall perſon, whereby her Maieſties life ſhall bee taken away (which God of his great mercie forbid:) That then euery ſuch perſon, by or for whome any ſuch Acte ſhall bee executed, and their iſſues being any wiſe aſſenting or priuie to the ſame, ſhall by vertue of this Acte be excluded and diſhabled for euer to haue or claime, or to pretende to haue or claime the ſaide Crowne of this Realme or of any other her Highneſſe Dominions, any former Law or Statute whatſoeuer to the contrarie in any wiſe notwithſtanding.

And that all the ſubiectes of this Realme, and all other her Maieſties Dominions, ſhall and may lawfully by vertue of this

this Act, by all forcible and possible meanes, pursue to death euery such wicked person, by whome, or by whose meanes, any such detestable fact shall be in fourme hereafter expressed denounced to haue bene committed, and also their aydes being any way assenting or priuie to the same, and all their aydours, comforters, and abbettours in that behalfe.

And to the ende that the Intention of this Lawe may be effectually executed, if her Maiesties life shall be taken away, by any violent or vnnaturall meanes (which God defend:) Be it further enacted by the authoritie aforesayde, that the Lordes and others which shall be of her Maiesties priuie Counsell at the time of such her decease, or the more part of the same Counsell, ioyning vnto them for their better assistance, fiue other Earles, and seuen other Lordes of Parliament at the least, (foresecing that none of the sayde Earles, Lordes or Counsell be knowen to be persons that may make any title to the Crowne,) those persons which were chiefe Justices of either Benche, Master of the Rolles, and chiefe Baron of the Exchequer at the time of her Maiesties death, or in default of the sayde Justices, Master of the Rolles, and chiefe Baron, some other of those which were Justices of some of the courts of Record at Westminster, at the time of her Highnesse decease, to supply their places, or any .xiiii. or more of them, whereof eyght to be Lordes of Parliament, not being of the priuie Counsell, shall to the vttermost of their power and skill examine the cause & maner of such her Maiesties death, and what persons shall be any way guiltie thereof, and all circumstances concerning the same according to the true meaning of this Acte, and thereupon shall by open Proclamation publish the same, and without any delay by all forcible and possible meanes prosecute to death all such as shall bee founde to be offendours therein, and all their aydours and abbettours: And for the doing thereof, and for the withstanding and suppressing of all such power and force, as shall any way be leuyed or stirred in disturbance of the due execution of this Lawe, shall by vertue of this Acte, haue power and authoritie not onely to rayse and vse such forces as shall in that behalfe bee needefull and conuenient, but also to vse all other meanes and thinges possible and necessary for the maintenance of the same forces, and prosecution of the sayde offendours. And if any such power and force shall be leuyed or stirred in disturbance of the due execution of this Lawe, by any person that shall or may pretend any Title to the Crowne of this Realme,

whereby this Lawe may not in all thinges be fully executed, accoꝛding to the effecte and true meaning of the ſame: That then euery ſuch perſon ſhall by vertue of this Acte be thereforꝛe excluded and diſhabled foꝛ euer to haue oꝛ claime, oꝛ to pꝛetend to haue oꝛ claime the Crowne of this Realme, oꝛ of any other her Highneſſe Dominions, any foꝛmer Lawe oꝛ Statute whatſoeuer to the contrary notwithſtanding.

And be it further enacted by the authoꝛity afoꝛeſaid, that all and euery the Subiects of all her Maieſties Realmes & Dominions, ſhall to the vttermoſt of their power, ayde and aſſiſt the ſaid Counſell and all other the Loꝛds and other perſons to bee adioyned vnto them foꝛ aſſiſtance, as is afoꝛeſayde, in all things to be done and executed accoꝛding to the effect and intention of this Lawe: And that no Subiect of this Realme ſhall in any wiſe be impeached in body, lands oꝛ goods, at any time hereafter foꝛ any thing to bee done oꝛ executed accoꝛding to the tenour of this Lawe, any Lawe oꝛ Statute heretofoꝛe made to the contrarie in any wiſe notwithſtanding.

And whereas of late many of her Maieſties good and faithfull Subiectes haue in the name of God and with the teſtimonie of good conſciences, by one vniforme maner of writing vnder their handes and Seales, and by their ſeuerall othes voluntarily taken, ioyned themſelues together in one bonde and aſſociation to withſtand and reuenge to the vttermoſt all ſuch malicious actions and attemptes againſt her Maieſties moſt Royall perſon: Nowe foꝛ the full explaning of all ſuch ambiguities & queſtions as otherwiſe might happen to growe by reaſon of any ſiniſter oꝛ wꝛong conſtruction oꝛ interpꝛetation to be made oꝛ inferred of oꝛ vpon the woꝛds oꝛ meaning thereof, be it declared and enacted by the authoꝛitie of this pꝛeſent Parliament, that the ſame Aſſociation and euerie article and ſentence therein conteyned, as well concerning the diſallowing, excluding, oꝛ diſhabling of any perſon that may oꝛ ſhall pꝛetende any Title to come to the Crowne of this Realme, as alſo foꝛ the purſuing and taking reuenge of any perſon foꝛ any ſuch wicked acte oꝛ attempt as is mentioned in the ſame Aſſociation, ſhall and ought to bee in all thinges expounded and adiudged accoꝛding to the true intent and meaning of this Acte, and not otherwyſe, noꝛ againſt any other perſon oꝛ perſons.

An act againſt Ieſuites, Seminarie Prieſtes, and ſuch other *like diſobedient perſons.*

Chapter. ii.

WHereas diuers perſons, called or profeſſed Ieſuites, Seminarie Prieſtes, and other Prieſtes, which haue bene, and from time to time are made in the partes beyonde the Seas, by or according to the order and rites of the Romiſhe Church, haue of late yeeres comen and bene ſent, and dayly doe come and are ſent into this realme of England, and other the Queenes Maieſties Dominions, of purpoſe (as it hath appeared, aſwell by ſundry of their owne examinations and confeſſions, as by diuers other manifeſt meanes and proofes) not onely to withdrawe her Highneſſe ſubiects from their due obedience to her Maieſtie, but alſo to ſtirre vp and moue ſedition, rebellion and open hoſtilitie within the ſame her Highneſſe Realmes and Dominions, to the great indaungering of the ſafetie of her moſt royall perſon, and to the vtter ruine, deſolation, and ouerthrowe of the whole Realme, if the ſame bee not the ſooner by ſome good meanes foreſeene and preuented.

For reformation whereof, bee it ordeyned, eſtabliſhed and enacted by the Queenes moſt excellent Maieſtie, and the Lordes Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame Parliament, that all and euery Ieſuites, Seminarie Prieſtes, and other Prieſtes whatſoeuer, made or ordeyned out of the Realme of Englande, or other her Highneſſe Dominions, or within any of her Maieſties Realmes or Dominions by any authoritie, power or iuriſdiction, deriued, chalenged or pretended from the Sea of Rome, ſince the feaſt of

the Natiuitie of Saint John Baptiſt, in the firſt yeere of her Highneſſe reigne, ſhall within fourtie dayes next after the ende of this preſent Seſſion of Parliament, depart out of this Realme of Englande, and out of all other her Highneſſe Realmes and Dominions, if the winde, weather and paſſage ſhall ſerue for the ſame: or elſe ſo ſoone after the ende of the ſaide fourtie dayes, as the winde, weather and paſſage ſhall ſo ſerue.

And be it further enacted by the authoritie aforeſaide, that it ſhall not be lawfull to or for any Jeſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or religious or eccleſiaſticall perſon whatſoeuer, being borne within this Realme, or any other her Highneſſe Dominions, and heretofore ſince the ſayd feaſt of the Natiuitie of Saint John Baptiſt in the firſt yere of her Maieſties reigne, made, ordeined or profeſſed, or hereafter to be made, ordeined, or profeſſed, by any authoritie or iuriſdiction, deriued, challenged or pretended from the Sea of Rome, by or of what name, title or degree ſo euer the ſame ſhall be called or knowen, to come into, be, or remaine in any part of this Realme, or any other her Highneſſe Dominions, after the end of the ſame fourtie dayes, other then in ſuch ſpeciall caſes, and vpon ſuch ſpeciall occaſions onely, and for ſuch time onely as is expreſſed in this Acte: and if he doe, that then euery ſuch offence ſhall be taken and adiudged to be high treaſon, And euery perſon ſo offending, ſhall for his offence be adiudged a Traytor, and ſhall ſuffer, loſe, & forfaite, as in caſe of high Treaſon. And euery perſon, which after the ende of the ſame fourtie dayes, and after ſuch time of departure as is before limitted and appointed, ſhall wittingly and willingly, receiue, relieue, comfort, ayde, or mainteyne any ſuch Jeſuite, Seminarie Prieſt, or other Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſaid, being at libertie, or out of holde, knowing him to be a Jeſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſaid, ſhall alſo for ſuch offence be adiudged a Felone, without benefite of Clergie, and ſuffer death, loſe and forfaite, as in caſe of one attainted of Felonie.

And be it further enacted by the authoritie aforeſaid, if any of her Maieſties ſubiects (not being a Jeſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is before mencioned) nowe being, or which hereafter ſhall be of, or brought vp in any Colledge of Jeſuites or Seminarie alreadie erected or ordeyned, or hereafter to be

erected

erected or ordeyned in the partes beyonde the Seas, or out of this Realme in any forraine partes, shall not within sixe moneths next after proclamation in that behalfe to be made in the Citie of London, vnder the great Seale of England, returne into this Realme, and thereupon, within two dayes next after such returne, before the Bishop of the Diocess, or two Justices of peace of the Countie, where he shall arriue, submit himselfe to her Maiestie, and her lawes, and take the othe set foorth by Acte in the first yeere of her reigne: That then euery such person which shall otherwise returne, come into, or be in this Realme, or any other her Highnesse Dominions, for such offence of returning, or being in this Realme, or any other her Highnesse Dominions, without submission as aforesaide, shal also be adiudged a Traytour, and suffer, lose and forfeyte, as in case of high Treason.

And be it further enacted by the authoritie aforesaide, if any person vnder her Maiesties subiection or obedience, shall at any time after the ende of the said fourtie dayes, by way of exchange, or by any other shift, way or meanes whatsoeuer, wittingly and willingly, either directly or indirectly, conuey, deliuer or sende, or cause or procure to be conueyed or deliuered to be sent ouer the Seas, or out of this Realme, or out of any other her Maiesties Dominions or Territories, into any forraine partes, or shal otherwise wittingly and willingly yeeld, giue, or contribute any money or other reliefe, to or for any Iesuite, Seminarie Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person, as is aforesaid, or to, or for the maintenance or reliefe of any Colledge of Iesuites or Seminarie, already erected or ordeyned, or hereafter to be erected or ordeined in any the partes beyonde the Seas, or out of this Realme in any forreine partes, or of any person then being of or in any the same Colledges or Seminaries, and not returned into this Realme with submission as in this Act is expressed, and continuing in the same Realme: That then euery such person so offending, for the same offence shall incurre the daunger and penaltie of Premunire, mencioned in the Statute of Premunire, made in the xvi. yeere of the reigne of king Richard the second.

And be it further enacted by the authoritie aforesaide, that it shall not be lawfull for any person, of or vnder her Highnesse obedience, at any time after the saide fourtie dayes, during her Maiesties life (which God long preserue) to sende his or her childe, or other person, being vnder his or her gouernement,

into

into any the partes beyonde the Seas, out of her Highnesse obedience, without the speciall licence of her Maiestie, or of foure of her Highnesse priuie Counsell, vnder their handes in that behalfe first had or obteyned, (except Merchants, for such onely as they or any of them shall sende ouer the Seas, onely for or about his, her, or their trade of merchandize, or to serue as Mariners, and not otherwise) vpon paine to forfaite and lose for euery such their offence, the summe of one hundred poundes.

And be it also enacted by the authoritie aforesaid, that euery offence to be committed or done against the tenor of this Acte, shall and may be enquired of, heard and determined, aswell in the Court commonly called the Kings bench, in the Countie where the same Court shall for the time be, as also in any other Countie within this Realme, or any other her Highnesse Dominions, where the offence is or shall be committed, or where the offendour shall be apprehended and taken.

Prouided also, and be it enacted by the authoritie aforesaid, that it shall and may be lawfull, for and to euery Owner and Master of any Ship, Barke or Boate, at any time within the sayd fourtie dayes or other time before limitted for their departure, to transport into any the partes beyond the Seas, any such Jesuite, Seminarie Priest, or other Priest aforesaid, so as the same Jesuite, Seminarie Priest, or other Priest aforesayde so to be transported, doe deliuer vnto the Maior or other chiefe Officer of the Towne, Porte, or place where hee shall be taken in to be transported, his name, and in what place he receiued such order, and howe long he hath remained in this Realme, or in any other her Highnesse Dominions, being vnder her obedience.

Prouided also, that this Acte, or any thing therein conteyned, shall not in any wise extende to any such Jesuite, Seminarie Priest, or other such Priest, Deacon, or Religious or Ecclesiasticall person, as is before mentioned, as shall at any time within the saide fourtie dayes, or within three dayes after that he shall hereafter come into this Realme, or any other her Highnesse Dominions, submit himselfe to some Archbyshop or Byshop of this Realme, or to some Justice of peace within the Countie where hee shall arriue or lande, and doe thereupon truely and sincerely before the same Archbishop, Bishop, or such Justice of peace, take the said othe set foorth in Anno primo, and by writing vnder his hand confesse and acknowledge, and from thencefoorth continewe his due obe-

dience

dience vnto her Highneſſe Lawes, Statutes and Ordinances, made and prouided, or to be made or prouided in cauſes of religion.

Prouided alwayes, if it happen at any time hereafter, any Peere of this Realme to be indicted of any offence made Treaſon, Felonie or Præmunire by this Acte, that hee ſhall haue his tryall by his Peeres, as in other caſes of Treaſon, Felonie or Præmunire is accuſtomed.

Prouided neuertheleſſe, and it is declared by authoritie aforeſayde, that if any ſuch Jeſuite, Seminarie Prieſt or other Prieſts aboueſayd, ſhall fortune to be ſo weake or infirme of body, that hee or they may not paſſe out of the Realme by the time herein limitted without imminent danger of life, and this vnderſtood aſwel by the corporall othe of the partie, as by other good meanes, vnto the Biſhop of the Dioces, and two Juſtices of peace of the ſame Countie where ſuch perſon or perſons doe dwell or abide: That then and vpon good and ſufficient band of the perſon or perſons, with ſuerties of the ſumme of CC.li. at the leaſt, with condition that he or they ſhall be of good behauiour towards our Soueraigne Lady the Queene, and all her liege people: Then he or they ſo licenſed and doing as is aforeſayd, ſhall and may remaine and be ſtill within this Realme, without any loſſe or danger to fall on him or them by this Acte, for ſo long time as by the ſame Biſhoppe and Juſtices ſhall bee limitted and appointed, ſo as the ſame time of abode exceede not the ſpace of ſixe monethes at the moſt: And that no perſon or perſons ſhall ſuſteine any loſſe, or incurre any danger by this Acte, for the receiuing or mainteining of any ſuch perſon or perſons ſo licenſed as is aforeſayd, for, and during ſuch time onely as ſuch perſon or perſons ſhalbe ſo licenſed to tarry within this Realme: Any thing conteined in this Act to the contrary notwithſtanding.

And bee it alſo further enacted by authoritie aforeſayde, that euery perſon or perſons being Subiect of this Realme, which after the ſaid fourtie dayes ſhall know and vnderſtand that any ſuch Jeſuite, Seminarie Prieſt, or other Prieſt aboueſayd, ſhall abide, ſtay, tarry, or be within this Realme, or other the Queenes Dominions and Countries, contrary to the true meaning of this Act, and ſhall not diſcouer the ſame vnto ſome Juſtice of peace or other higher Officer, within twelue dayes next after his ſayde knowledge, but willingly conceale his knowledge therein: that euery ſuch offender ſhal make fine, and be impriſoned at the Queenes pleaſure, and

that

that if such Justice of peace, or other such Officer to whome such matter shalbe so discouered, doe not within xxviii. dayes then next following, giue information thereof to some of the Queenes priuie Counsell, or to the President or Vice President of the Queenes Counsell, established in the North, or in the Marches of Wales for the time being: that then he or they so offending, shall for euery such offence forfaite the summe of two hundred markes.

And be it likewise enacted by the authoritie aforesayd, that such of the priuie Counsell, President, or Vicepresident, to whom such information shalbe made, shall thereupon deliuer a note in writing subscribed with his owne hand, to the partie by whome he shall receiue such information, testifying that such information was made vnto him.

And be it also enacted, that all such Othes, Bondes, and Submissions, as shalbe made by force of this Act as aforesaid, shall be certified into the Chauncerie by such parties before whom the same shalbe made, within three moneths after such submission, vpon paine to forfeite & lose for euery such offence, an hundred pound of lawfull English money, the sayde forfeiture to be to the Queene, her heires and successors. And that if any person so submitting himselfe as aforesayde, doe at any time within the space of tenne yeeres after such submission made, come within ten miles of such place where her Maiestie shalbe, without especiall licence from her Maiestie in that behalfe to be obteined in writing vnder her hande: that then, and from thencefoorth, such person shall take no benefite of his sayd submission, but that the same submission shalbe voyde, as if the same had neuer bene.

An

An acte for the explanation of the Statute made Anno xiii. of the *Queenes Maieſties reigne, entituled, An Acte* to make the lands, tenements, goods and chattels of Tellors, Receiuers &c. liable to the paiment of their debtes,

Chapter iii.

WHere in the Parliament holden at Weſtminſter the ſecond day of Apryl, in the xiii. yeere of the Reigne of our Souereigne Ladie Queene Elizabeth, there was amongſt other things an Act made, entituled, An Acte to make the landes, Tenements, goods and cattels of Tellors, Receiuers, &c. liable to pay their debts, vpon which act ſome doubt and queſtion hath bene moued, whether the Queenes Highneſſe, her heires and ſucceſſors, might for the ſatisfaction of her and their debtes and farmes, by her or their letters patents vnder the great Seale of England, make ſale of any the landes, Tenements, or hereditaments, whereof her highneſſe, her heires or ſucceſſors haue power or authoritie to make ſale by vertue of the ſame Acte after the death of ſuch accomptant or debtor as is mentioned in the ſaid Acte, or where the accompt of ſuch accomptant or debtor was not or is not made, or his or their debt knowen in the life time of the ſame accomptant or debtor:

For declaration and explaning whereof, Be it declared and enacted by the authoritie of this preſent Parliament, that the ſayde Acte in euery parte thereof touching the power giuen by that recited Acte vnto her Highneſſe, her heires and

ſucceſſors to make ſale of any the landes, tenements or hereditaments by the ſame Acte limitted to be ſolde, is, ſhall, and ought to be expounded and entended aſwell in caſe where the ſale is to be made after the death of ſuch accomptant or debtor, as where it is to bee made in his or their life time: And alſo aſwell in caſe where the accompte is made, or the debt knowen within viii. yeeres after the death of ſuch accomptant or debtor, as where the ſame accompt is made, or debt knowen in the life time of the ſame accomptant or debtor, Any ambiguitie or queſtion that hath riſen or growen, or may ariſe, growe or be conceiued vpon the letter of the ſame acte, to the contrary thereof in any wiſe notwithſtanding.

Prouided alwayes and be it enacted by the authoritie aforeſaide, that after the death of ſuch accomptant and debtor, as is mentioned in the ſayde recited acte, and before ſuch time as any the landes, tenements and hereditaments deſcended vnto the heire of ſuch accomptant or debtor, as heire vnto the ſame accomptant or debtor, ſhall bee ſolde as aforeſayde, a Scire facias ſhall be awarded out of her Maieſties court of Exchequer vnto the Sheriffe of the Countie where any ſuch landes doe lie, to garniſh the ſame heire, to ſhewe cauſe why the ſame landes, tenements and hereditaments ſo to him deſcended as aforeſayde, ſhoulde not be put to ſale for ſatiſfaction of the ſayde debtes or fermes in the ſame Acte mentioned, according to the tenor of the ſayde acte, whereupon if the heire do not within a conuenient time vpon a garniſhment or two Nichils returned, ſhewe and prooue vnto the ſayde court that the Executors or adminiſtrators of ſuch accomptant or debtor, haue ſufficient, which ought to anſwere or be lyable for the ſame debt or ferme, & whereby the ſaid debt or ferme ſhall and may be duely and fully ſatiſfied: That then after ten moneths next after ſuch two Nichils or garniſhment returned, the ſame landes, tenements and hereditaments ſhall be ſolde by her Maieſtie, her heires or ſucceſſors, and the money thereof comming, diſpoſed according to the true intent and meaning of the ſayde former recited acte.

And be it further enacted by the authoritie aforeſayde, that the ſaid recited acte, and this Statute of explanation alſo as touching onely the ſale of any landes, tenements or hereditaments to be made after the death of ſuch accomptant or debtor as is aforeſayde, ſhall not extende to any landes, Tenements or hereditaments, which any perſon or perſons not being priuie or conſenting vnto any ſuch intent to defraude

the

the Queenes Maieſtie, her heires or Succeſſors as in the ſayde recited Acte is mentioned, nowe haue or enioy, and haue purchaſed or obteined, or before any Scire facias to be awarded as aforeſaide, ſhall haue or enioye, purchaſe or obteine bona fide, and vpon good conſideration, Any thing in this acte or in the before mentioned Acte to the contrary thereof in any wiſe notwithſtanding.

Prouided alwayes and be it enacted, that this Acte of explanation ſhall extende onely vnto ſuch as haue bene or ſhall be Tellors, Receiuors, Treaſurers, Cuſtomers, Cofferers of the houſholde, Farmors of Impoſt, Collectors, Bailiffes, Victailers, and other officers of receipts and accomptes vnto our Soueraigne Ladie the Queenes Maieſtie, her heires and ſucceſſors, and to euery of them, their heires, executors and adminiſtrators, and to no other.

Prouided alſo and be it further enacted by the authoritie aforeſayde, that in ſuch caſes where any accompt ſhall or ought to be made, or any debt ſhalbe owing in the Courts of the Duchie of Lancaſter, and Wards and Liueries, or in any of them: Then after the death of ſuch accomptant or debtor as is mẽtioned in the ſaid former acte, in any of the ſaid laſt mentioned Courts, and before ſuch time as any of the lands, tenements or hereditaments deſcended vnto the heire of ſuch accomptant or debtor, as heire vnto the ſame accomptant or debtor, ſhall be ſolde as aforeſaid, ſuch proceſſe ſhalbe awarded as hereafter is expreſſed, that is to wit, Firſt a priuie ſeale cõmanding the ſame heire to make perſonall apparance in the court, out of which the ſame priuie ſeale ſhall be awarded, to ſhewe cauſe as in the writ of Scire facias to be awarded out of the Exchequer is before appointed, and if the ſame heire ſhall make default at the day of the returne of the ſame priuie ſeale, that then vpon Affidauit made that the ſame priuie ſeale was duely ſerued, either vpon the perſon of the ſame heire, or left at the place of his or her dwelling or moſt vſuall aboade, an attachement with proclamation ſhall be awarded againſt the ſame heire, and ſhall be openly publiſhed & proclaimed in ſome market Towne in the countie where the ſame heire was laſt dwelling or made his or her vſuall abode, vpon ſome market day there in the time of open market, twentie daies at the leaſt before the returne thereof: And if vpon returne thereof the ſaid heire ſhall eftſoones make default, that then all things ſhall be done and executed for the ſale of the ſame landes, tenements & hereditaments, and for the full ſatisfaction of the ſame debt or

farme, in like and as large and ample maner and forme to all intents and purposes, as before in this acte is limitted and appointed in cases where default is made vpon a garnishment or two Nichils returned vpon a Scire facias awarded out of the said court of Exchequer.

Prouided also and be it likewise enacted, that if the heire of any accomptant or debtor before mentioned, shall happen to be within the age of xxi. yeres when any such proces shall fortune to be awarded, that then during the time of his or her nonage, this acte or any thing therein conteined shal not in any wise be extended, executed or put in vre as touching or concerning only the selling of the landes, tenements or hereditaments of any such heire, Any thing in the same acte conteined to the contrary in any wise notwithstanding. And yet neuertheless after such time as any such heire shall accomplish the full age of xxi. yeeres, all and singular the lands, tenements & hereditamẽts descended vnto the same heire from any such debtor or accomptant as aforesaide, shall at all times during the space of eight yeeres then next ensuing, be subiect and liable to be sold for the paiment and satisfaction of her Maiestie, her heires or successors according to the intent and true meaning of this acte, in such maner and forme to all intentes and purposes, as if the same heire had bene of full age at the time of the death of such debtor or accomptant.

Prouided alwayes and be it enacted, that this acte or any thing therein conteined, shal not extend to the sale of the lãds, tenements or hereditaments of any such heire or heires, for or by reason of any accõpt, debt or farme, whereof any such debtor or accomptant haue, or shall haue a Quietus est or discharge in his or their life time.

An

An acte against couenous and fraudulent Conueyances.

Chapter iiii.

Forasmuch as not onely the Queenes moste excellent Maiestie, but also diuers of her Highnes good and louing subiectes, & bodies politique and corporate, after conueiances obtained, or to be obtained, & purchases made, or to be made of landes, tenementes, leases, estates and hereditaments, for money or other good cõsiderations, may haue, incurre and receiue great losse & preiudice by reason of fraudulent & couenous cõueiances, estates, gifts, graūts, charges, & limitations of vses heretofore made, or hereafter to be made, of, in, or out of lands, tenements, or hereditaments so purchased, or to be purchased, which sayd giftes, grants, charges, estates, vses & conueiances, were, or hereafter shalbe meant or intended by ẏ parties that so make the same, to be fraudulent & couenous of purpose & entẽt, to deceiue such as haue purchased, or shal purchase the same: Or els by the secret entent of the parties, the same be to their owne proper vse, and at their free disposition, coloured neuertheles by a fained countenance and shewe of woordes and sentences, as though the same were made bona fide, for good causes and vpon iust and lawfull considerations: For remedy of which inconueniences, and for the auoyding of such fraudulent, fayned, & couenous conueyances, giftes, graunts, charges, vses and estates, and for the maintenance of vpright and iust dealing in the purchasing of landes, tenementes and hereditamentes: Be it ordeined and enacted by the authoritie of this present Parliament, that all and euery conueiance, graunt, charge, lease, estate, incumbrance and limitation of vse or vses, of, in, or out of any landes, tenementes, or other hereditaments whatsoeuer, had or made any time heretofore sithence the beginning of the Queenes Maiesties raigne that nowe is, or at any time hereafter to be had or made, for the in-

tent and of purpose to defraude and deceyue such person or persons, bodies politique or corporate, as haue purchased, or shall afterwardes purchase in fee simple, fee taile, for life, liues or yeres, the same lands, tenements and hereditamẽts, or any part or parcell thereof, so formerly conueied, graunted, leased, charged, incumbred or limited in vse, or to defraude & deceiue such as haue, or shall purchase any rent, profite or commoditie, in or out of the same, or any part thereof, shalbe deemed & taken only as against that person & persons, bodies politique & corporate, his & their heirs, successors, executors, administrators & assignes, and against all & euery other person & persons lawfully hauing or claiming by, from or vnder them, or any of them which haue purchased, or shall hereafter so purchase for money or other good cõsideration the same lands, tenements or hereditaments, or any part or parcel therof, or any rent, profit or cõmoditie in or out of the same, to be vtterly voide, frustrate and of none effect, any pretence, colour, fained consideration or expressing of any vse or vses, to the contrary notwithstanding.

And be it further inacted by the authoritie aforesaid, that al and euery the parties to such fained, couenous and fraudulẽt giftes, grauntes, leases, charges, or conueiances before expressed, or being priuie & knowing of the same, or any of them which after the xx. day of Aprll next comming, shall wittingly & willingly put in vre, auowe, maintaine, iustifie or defende the same, or any of them, as true, simple, & done, had, or made bona fide, or vpon good cõsideration to ỹ disturbance or hinderance of ỹ said purchaser, or purchasers, leassers, or graũters, or of, or to ỹ disturbance or hinderance of their heires, successors, executors, administrators or assignes, or such as haue, or shal lawfully claime any thing, by, frõ or vnder them, or any of them, shall incurre the penalty & forfaiture of one yeres value of the saide landes, tenements & hereditaments so purchased or charged: The one moitie wherof to be to ỹ Queenes maiestie, her heirs & successors, & the other moytie to the partie or parties grieued by such fained & fraudulent gift, graunt, lease, conueiance, incumbrance, or limitation of vse, to bee recouered in any of the Queenes courts of Record, by action of debt, bill, plaint, or information, wherein no essoyne, protection or wager of lawe, shall be admitted for the defendant or defendants: and also being therof lawfully conuicted, shall suffer imprisonment for one halfe yeere, without baile or mainprise.

Prouided also & be it enacted by ỹ authority aforesaid, that this act or any thing therin contained, shal not extend or be cõstrued

strued to impeach, defeat, make voide, or frustrate any conueiance, assignement of lease, assurance, graunt, charge, lease, estate, interest or limitation of vse or vses of, in, to or out of any lands, tenements or hereditamẽts heretofore at any time had or made, or hereafter to be had or made, vpon or for good consideration and bona fide, to any person or persons, bodies politique or corporate, any thing before mentioned, to the contrary hereof notwithstanding.

And be it further enacted by the authoritie aforesaid, that if any person or persons, haue heretofore sithens the beginning of the Queenes Maiesties raigne that nowe is, made, or hereafter shall make any conueiance, gift, graunt, demise, charge, limitation of vse or vses, or assurance of, in or out of any lands, tenements or hereditaments, with any clause, prouision, article or condition of reuocation, determination or alteration, at his or their will or pleasure of such cõueiance, assurãce, graũts, limitations of vses or estates, of, in or out of the said landes, tenements or hereditaments, or of, in or out of any part or parcel of them contained or mentioned in any writyting, deede or indẽture of such assurance, conueiance, graũt or gift, and after such conueiance, graunt, gift, demise, charge, limitation of vses or assurance, so made or had, shall or doe bargaine, sell, demise, graunt, cõuey, or charge the same lands, tenements or hereditaments or any part or parcel therof, to any person or persons, bodies politique or corporate, for money or other good consideration, paied, or giuen, the saide first conueiance, assurance, gift, graunt, demise, charge or limitation, not by him or them reuoked, made voide, or altered, according to the power and authoritie reserued or expressed vnto him or them, in, and by the said secrete conueiance, assurance, gift or grant: That then the said former conueiance, assurance, gift, demise & graunt, as touching the said landes, tenements and hereditaments, so after bargained, solde, conueyed, demised or charged against the said bargainees, vendees, leassees, grauntees, & euery of them, their heires, successors, executors, administrators & assignees, and against all and euery person & persons, which haue, shall, or may lawfully claime any thing, by, from, or vnder them, or any of them, shall be deemed, taken, and adiudged to be voide, frustrate, and of none effect, by vertue and force of this present acte. Prouided neuertheless that no lawfull mortgage made, or to be made bona fide, and without fraud or couin, vpon good consideration, shall be impeached or impaired by force of this Act, but shal stande in the like force & effect, as the same shoulde

haue done, if this Act had neuer bene had nor made: Any thing in this Act to the contrary in any wise notwithstanding.

And be it further enacted by ꝑ authoritie aforesaide, that all the whole tenor and contents of all statutes marchantes, and statutes of the staple, hereafter to be knowledged, shal within vi. moneths next after such knowledging, be entered in the office of the Clarke of Recognizances, taken according to the statute made in the xxiii. yere of the reigne of the late King Henry the eight, by the shewing forth of the sayd statute marchant or statute staple so knowledged vnto the said Clarke, which said Clarke of the Recognizaunce shall enter, or cause to be entred, the same statutes into a booke for that purpose to be prouided, & safely kept by him, taking viii. d. & no more, for euery such entrie.

And be it further enacted, that if the partie to whome any such statute marchant or of the Staple shalde knowledged, his executors or administrators do or shal not within iiii. moneths next after the knowledging of any such statute, bring and deliuer, or cause to be brought and deliuered vnto the said Clarke or his deputie or deputies for the time being, all and euery such statute & statutes as shalbe so knowledged to him or to his vse, whereby and to the intent that the sayd Clarke, his deputie or deputies may take and enter a true copy thereof, that then euery such statute marchant and of the staple not so entred, shal be voyd, frustrate, and of none effect against all and euery such person and persons, and bodies politique and corporate, their heires, successours, executors, administrators and assignes, onely as shall after the knowledging of the sayd statutes or any of them purchase for money or other good consideration the landes, tenements or hereditaments, which were liable to the same statute marchant, or of the Staple, or any part or parcell thereof, or any rent, lease or profite, of or out of the same. And if the saide Clarke, or his deputie or deputies for the time being, shall not vpon such shewing and deliuerie vnto him or them, of any Statute marchant, or of the Staple, enter, or cause to be entred the same in his saide booke, within the saide time of sixe moneths, and also endorse vpon euery such Statute, so by him entred, the day & yere of his saide entrie, with his or their owne name: that then euery such Clarke failing or defective in that behalfe, shall forfait and lose for euery Statute marchant and of the Staple so brought vnto him or them, and not entred and endorsed, or caused to be entred and endorsed, as aforesaid, the summe of xx. pounde: The one moitie whereof to be to the Queenes Maiestie, her heires and successors, and the other

moytie

moytie to him or them, that will sue for the same in any of the Queenes Courts of Recorde, by action of debt, bill, plaint or information, wherein no essoyne, protection or wager of lawe shall be allowed.

And be it further enacted by the authoritie aforesaid, that no Clerke of the sayd Recognizaunces shall or may take for or in respect of any searche to be made, for or concerning any Statute merchant, or of the Staple, so to be entred as aforesayde, aboue ii.d. for one yeeres search, & so after the rate of two pence for euery yeere, and not aboue, vpon paine to forfeite and lose to the partie or parties grieued thereby twentie times as much as he shal take contrary to the true meaning of this Acte, to be recouered in any of the Queenes Maiesties Courts of Record, by action of debt, bill, playnt or information, wherein no protection or wager of Law shalbe allowed: This Act to continue for the space of ten yeeres, and from thencefoorth vnto the ende of the Parliament then next following.

Prouided alwayes, that this Act nor any thing therein contained, shal extend or be construed to make good any purchase, graūt, lease, charge, or profit, of, in, or out of any lāds, tenemēts or hereditamēts heretofore made voyd, defeated, or vndone by reason of any former conueyance, graunt or assurance, so as the partie or parties, or their heires or assignes, which haue so defeated or made voyde the same, were in actuall possession the first day of this present Parliament, of, or in the said landes, tenementes or hereditamentes, whereof, or out of which, any such purchase, graunt, lease, charge or profit was made.

Prouided that this Acte, nor any thing therein conteyned, shal extend in any sort to restraine or impayre the iurisdiction, power or authoritie of the Court of Starrechamber.

An Acte for the expedition of Iustice in cases of demurrors and pleadings.

Chapter v.

FOrasmuch as excessiue chardges and expences, and great delay and hinderance of Justice hath growen in actions and suits betweene the Subiectes of this Realme, by reason that vpon some small mistaking or wante of forme in pleading,

Judge-

Judgementes are often reuersed by writtes of errour, and often times vpon Demurrors in Law, giuen otherwise then the matter in lawe, and very right of the cause doeth require, whereby the parties are constrayned either vtterly to loose their right, or els after long time and great trouble & expences to renewe againe their suites: For remedy thereof, Be it enacted by the Queenes most excellent Maiestie, the Lordes spirituall & temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that from hence forth after Demurrer ioyned and entred in any action or suite in any Court of Record within this Realme, the Judges shall proceede and giue iudgement according as the very right of the cause and matter in Law shal appeare vnto them, without regarding any imperfection, defect or want of forme in any writte, retourne, plainte, declaration, or other pleading, processe, or course of proceeding whatsoeuer: Except those only which the partie demurring shal specially and particularly set downe and expresse together with his demurrer: And that no Judgement to be giuen shallbe reuersed by any writ of Error for any such imperfection, defect, or want of forme, as is aforesayd, except such onely as is before excepted.

And be it further enacted, that after demurrers ioyned and entred, the Court where the same shalbe, shall and may by vertue of this Acte, from time to time amende all and euery such imperfections, defects and wantes of forme, as is before mentioned, other then those onely, which the partie demurring shal specially and particularly expresse and set downe together with his Demurrer, as is aforesayd.

Prouided alwayes, and be it further enacted by the authoritie aforesayd, that this Acte, or any thing therein conteyned, shall not extend to any writte, declaration or suite of appeale of felony or murder, nor to any Indictment or presentment of felony, murder, treason, or other matter, nor to any Processe vpon any of them, nor to any writte, byll, action, or Information vpon any populer or penal Statute, Any thing aforesaid to the contrary notwithstanding.

An

An Acte for returning of ſufficient Iurours, and for better expedition of trials.

Chapter vi.

For the retourning of more able and more ſufficient Jurors for trials to bee hereafter had betweene partie and partie, and for reformation of abuſes in Shiriffes and other miniſters, who for reWarde often times doe ſpare at home the moſt able and ſufficient freeholders, and retourne the poorer and ſimpler ſort, leaſt able to diſcerne the cauſes in queſtion, and moſte vnable to beare the charges of apparance and attendances in ſuch caſes: Be it ordained and enacted by authoritie of this preſent Parliament, that in all caſes where any Jurours to be retourned for triall of any iſſue or iſſues, ioyned in any of the Queenes Maieſties courtes of the Kings Bench, common pleas, and the Exchequer, or before Juſtices of Aſſiſe by the lawes of this Realme nowe in force, ought to haue ſtate of freeholde in landes, tenements or hereditaments, of the cleare yearely value of fortie ſhillinges, that in euery ſuch caſe, the Jurours that ſhall be retourned, from and after the ende of this preſent Seſſion of Parliament, ſhall euery of them haue eſtate of freeholde, in landes, tenements, or hereditamentes, to the cleere yeerely value of foure poundes at the leaſt, and that the writtes of Venire facias, which from and after the ende of this preſent Seſſion of Parliament, ſhall be awarded and directed for the impanelling of Juries in the caſes aforeſayde, ſhall be in this forme, Regina &c. Precipimus &c. quod venire facias coram, &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, & qui nec. &c. and ſo forth the reſidue of the ſayde

writ

writ after the auncient forme: And that vpon euery such wryt and wryts of Venire facias, the Sheriffe or other ministers, vnto whome the making of the pannell shall appertaine, shall not retourne in any such panell, any person, vnlesse he may dispend foure poundes by the yeere at the least, of freehold out of ancient demesne, within the Countie where the issue is to be tried, vpon paine to forfait for euery person being returned in any such panell, that cannot dispende foure poundes freeholde, as is aforesaide, xx.s.

And further be it enacted by the authoritie aforesayde, that vpon euery first writte of Habeas corpora, or Distringas, with a Nisi prius deliuered of Record to the Sherife or other minister or ministers, to whome the making of the retourne shal appertaine, shall from and after the twentieth day of May next ensuing, retourne in issues vpon euery person impanelled and retourned vpon any such writte, at the least x.s. And at the seconde writte of Habeas corpora, or Distringas with a Nisi prius, vpon euery person impanelled and retourned vpon any such writte, xx. shillings at the least, and at the thirde writte of Habeas corpora, or Distringas with a Nisi prius, that shalbe further awarded vpon euery person impanelled and retourned vpon such writte, xxx.s. And vpon euery writte that shall be further awarded to try any such yssues, to double the yssues last afore specified, vntill a full Jury be sworne, or the processe otherwise ceased or determined, vpon paine to forfaite for euery retourne of yssues contrary to the fourme aforesayd, v.li.

And be it further enacted, that if any Sherife, vndersherife, Bailife, or other minister, from and after the ende of this present Session of Parliament, doe retourne any person or persons to be summoned to appeare in any Jury, wherein he shal for default of his apparance lose or forfaite any yssues, where in trueth such person shal not be lawfully summoned, that then the same Sherife, Undersherife, Bailife or other minister, by whose default such person shall be retourned, summoned as aforesayde, shall forfeite, lose and pay vnto the sayde person and persons so retourned, double the value of the issues by such Juror or Jurors lost or forfeited for his default of apparance.

And be it further enacted by the authoritie aforesaid, that if any Sherife, vndersherife, Sherifes deputie, Sherife or vnder Sherifes clarke, or any Bailiffe of Fraunchise, shal at any time after the ende of this present Session of Parliament, receiue, take, or haue by himselfe, or by any other, any summe of money, rewarde, or any other profite directly, or indirectly, or

doe

doe take any promise, make any agreement, or assent, to haue any summe of money, reward, or other profite, directly or indirectly, of any person or persons, for the sparing, not warning or not returning of any person to be sworne as a Juror, for the triall of any issue ioyned, or to be ioyned in any of the Queenes Maiesties Courts aforesaid, or before any Justices: That then euery shirife, vnder shirife, shirifes Deputie, shirife or vnder shirife his Clarke, or Baylife of Libertie or Franchise so offending, to forfeite for euery such offence the summe of v.li. The one moytie thereof to our Soueraigne Lady the Queenes Maiestie, & the other moytie thereof to such person & persons as will sue for the same in any Court of Record, by action of debt, bill, plaint or information, wherein no Essoyne, Protection or Wager of lawe shalbe allowed to the Defendant.

And further be it ordeined & enacted by ỳ authoritie aforesaid, that from & after the end of this present session of Parliament, at or vpō the triall of any issue ioyned in any personal action, no further chalenge for ỳ hundred shalbe admitted, if two sufficient Hundreders do appeare at & vpon ỳ trial of such issue.

Prouided neuertheless, that all other chalenges principall or for other cause, shalbe admitted, allowed and tryed in such order and forme, as if this Acte had neuer bene had or made.

Prouided also that this Acte shall not extend to any Juries or Issues to be returned in any Citie or Towne Corporate, or other Towne or place priuiledged to hold plea, or in the twelue shires of Wales, but that they shall & may be returned as heretofore they lawfully might haue bene. This Acte or any thing therein conteined to ỳ contrary in any wise notwithstanding.

An Act for reformation

of abuses in collection of issues lost by Furors.

Chap. vii.

WHereas there are within this Realme of England in sundry Counties of the same, diuers Freeholders of one name, and often and sundrie times some one or moe of them beene returned and impanelled in Juries, for tryall of matters betweene partie and partie: And if it happen any one of them so returned to make default or

lose issues, when the same are extreated to be leuied, the Bailife, or other Collectors thereof, for lucre and gaine doe demand and require the same of euery one within the said Countie that is of that name, and doe perswade euery person that is dwelling in that Countie and so named, that he is the partie that hath lost those Issues, and compell him to pay the same by the distresse of his or their goods and chattels, to their great molestation and trouble, and yet neuertheless many times doe detcyne and keepe all, or the more part of the Issues so collected, to their owne vse, in contempt of the Queenes Maiesties lawes, and to the great grieuance of her louing subiects, and contrary to all equitie and good conscience.

For remedie whereof, be it enacted by the authoritie of this present Parliament, that from and after fourtie dayes after the end of this Session of Parliament, no Shirife, Coroner or other person, to whom it shal appertaine to make returne of any writ, shall returne any Juror dwelling out of any Libertie, without the true addition of the place of his dwelling or abode at the time of the said returne, or within one yeere next before the making of any such returne, or some other addition by which the partie returned may be knowen: nor any Juror within any Libertie with other addition then such as shalbe deliuered to him by the Baylife of the said Libertie or his Deputie, certified vnder his or their hand: nor any Baylife of any Libertie, nor any his or their Deputie or Deputies, shall of himselfe returne any Juror, or deliuer to the Shirife, his vnder Shirife, Deputie or Deputies, the names of any persons to be returned vpon any Panell or Jurie, without the true addition certified vnder his or their hands to the Shirife, of the place of dwelling or abode of euery person so to be returned at the time of the said returne, or within one yeere next before the said returne, or some other addition, by which the partie returned may be knowen: And that no extract of Issues against any Juror returned as aforesaide, be deliuered out, receiued or put in vre, without such addition as is put in the originall Panell or Tales wherein such Juror shalbe so returned: And that no vnder Shirife, Baylife or other Officer, or person whatsoeuer, shall collect, leuie or gather any Issues so extreated of any other person or persons then of such person and persons, as by vertue of the saide extreates is of right charged or chargeable with the payment of the saide Issues, vpon paine that euery Clerke that shall write or deliuer, or cause or procure any such extreate to be deliuered out, receiued or put in vre, and

euery

euery other person offending, contrary to the intent and meaning of this Acte, shall forfeite to the Queenes Maiestie, her heires and successors, fiue markes, and to the partie grieued, or which shall sustaine any losse thereby, the somme of fiue marks, of lawfull English money: All which forfeytures and penalties shall and may be recouered, by action of debt, bill, plaint or information in any Court of Record, wherein no Essoine, Protection or Wager of lawe shalbe allowed.

And be it further enacted by the authoritie aforesaide, that Justices of Oyer and Terminer, within the Limitts of their Commission, Justices of Assises in their Circuites, and Justices of peace, aswell within Liberties as without, within the Limites of their Commission, shall by vertue of this present Acte, haue full power and authoritie to inquire, heare and determine all and euery offences aforesaide committed, or to be committed within the seuerall Limites, Circuite or Precinct of their seuerall Commission or Commissions, and to awarde foorth processe of execution for the leuying of the saide forfeytures: This Act to endure to the end of the next Parliament.

An Acte for redresse of *erronious Iudgements in the Court, commonly* called, The Kings Benche.

Chap. viii.

FOR as much as erronious Iudgements giuen in the Court, called the Kinges Bench, are onely to be reformed by the high Court of Parliament, which Court of Parliament is not in these dayes so often holden, as in auncient time it hath beene, neither yet (in respect of greater affaires of this Realme) such erronious Iudgements can be well considered of and determined, during the time of the Parliament, whereby the subiects of this Realme are greatly hindered and delayed of

Justice in such cases: Be it therefore enacted by the authoritie of this present Parliament, that where any Judgement shall at any time hereafter be giuen in the saide Court of the Kings Bench in any suite or action of debt, detinue, couenaunt, accompt, action vpon the case, ejection firme, or trespasse, first commenced or to be first commenced there, other then such only, where the Queenes Maiestie shalbe partie: The partie Plaintiffe or Defendant, against whom any such Judgement shalbe giuen, may at his election sue forth out of the Court of Chauncerie, a speciall writ of Error, to be deuised in the saide Court of Chauncerie, directed to the chiefe Justice of the saide Court of the Kings Bench for the time being, commanding him to cause the saide Record, and all things concerning the said Judgement, to be brought before the Justices of the common Bench, and the Barons of Theschequer, into Theschequer chamber, there to be examined by the said Justices of the common Bench, and Barons aforesaid, which saide Justices of the common Bench, and such Barons of Theschequer as are of the degree of the Coyfe, or sixe of them at the least, by vertue of this present Acte, shall thereupon haue full power and authoritie to examine all such Errors as shalbe assigned or found in or vpon any such Judgement, and thereupon to reuerse or affirme the said Judgement, as the law shall require, other then for Errors to be assigned or founde for or concerning the iurisdiction of the said Court of Kings Bench, or for any want of forme in any writ, returne, plaint, bill, declaration, or other pleading, processe, verdict or proceeding whatsoeuer: And that after that the said Judgement shalbe affirmed or reuersed, the saide Record, and all things concerning the same, shalbe remoued and brought backe into the saide Court of the Kings Bench, that such further proceeding may be thereupon, aswell for execution as otherwise, as shall appertayne.

And be it further enacted that such Reuersall or Affirmation of any such former Judgement, shall not be so finall, but that the partie who findeth him grieued therewith, shall and may sue in the high Court of Parliament, for the further and due examination of the saide Judgement, in such sort as is nowe vsed vpon Erroneous Judgements in the saide Courte of Kings Bench.

An

An acte for reformation of errours in Fines and Recoueries, in the xij. shires of Wales, Towne and Countie of Hauerford West, with the Counties Palantine.

Chapter ix.

Whereas in the Parliament by prorogation holden at Westminster in the xxiii. yeere of her Maiesties raigne that nowe is, one good and beneficiall statute was made and ordeined for the appealing of suites, the auoyding of false practises, deceites, deuises and misdemeanors, and for helping of negligences, and misprisions of Clarkes and officers dangerous to assurances of mens lands and hereditaments, entituled, An Acte for the reformation of errors in Fines and Recoueries: Forasmuch as the said statute, or sundry good and necessarie clauses and partes thereof, doeth not extend to Fines and Recoueries leuied, had and suffered in the xii. shires of Wales, that is to say, Glamorgan, Brecknocke, Radnor, Carmerthen, Pembroke, Cardigan, Mountgomerie, Denbigh, Flint, Carnaruon, Angiesey and Merionneth, the Towne and Countie of Hauerford West, and the Counties Palatines of Chester, Lancaster, and Dureme: Bee it therefore enacted by our Soueraigne Ladie the Queenes most excellent Maiestie, the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, that euery writ of Couenant and other writ, whereupon any fine heretofore hath bene leuied, or hereafter shalbe leuied, the returne thereof, the writ of Dedimus potestatem made for the acknowledging of any of the same fines, the returne thereof, the concorde note, and foote of euery such fine, the Proclamations made thereupon, and the Kings siluer, and also euery originall

writ of Entree in the Poſt, or other writ whereupon any common Recouerie hath bene ſuffered, or hereafter ſhalbe ſuffered or paſſed, the writs of Summons ad warrantizandum, the Returnes of the ſaid Originals, and writs of Summons ad warrantizandum, and euery warrant of Attourney, had or to bee had, aſwell of euery demaundant and tenant, as vouchee extant and remayning, or that ſhalbe extant and in being in the Courtes of Aſſizes or great Seſſions within the ſaid xii. ſhires of Wales, towne and Countie of Hauerford weſt, and Counties Palatines, or in the cuſtodie of the officers, to whome the charge of keeping thereof doeth apperteine, may vpon the requeſt or election of any perſon or perſons be inrolled in rolles of parchment, by ſuch perſons & for ſuch conſiderations as hereafter in this Act ſhalbe mentioned. And that the Inrolments of the ſame or any part thereof, ſhalbe of as good force and validitie in Lawe to all intents, reſpects and purpoſes, for ſo much of any of them ſo enrolled as the ſame being extant and remayning, were or ought by lawe to be.

Be it further enacted by the authority aforeſaid, that no fine, Proclamations vpon fines, or common Recouerie heretofore had, leuied, ſuffered or paſſed, or hereafter to be had, leuied, ſuffered or paſſed, in any of the ſaide xii. ſhires of Wales, towne and Countie of Hauerford weſt, or Counties Palatine ſhalbe reuerſed or reuerſable by any writ of Errour for falſe or incongrue latine, raſure, interlining, miſentring of any warrant of Attourney, or of any Proclamation, miſreturning or not returning of the Shiriffe, or other want of forme in wordes and not in matter of ſubſtance. Prouided alwayes that neither this Act nor any thing therein conteined, ſhall barre or exclude any perſon or perſons from any writ of Errour which ſhall be had, taken, or purſued within fiue yeeres next after the ende of this Seſſion of this preſent Parliament, vpon any fine or Recouerie heretofore had or ſuffered in any of the Courtes aforeſaid: Nor from any writ of Errour, which ſhalbe had, taken or purſued vpō any fine or Recouerie heretofore leuied, acknowledged, or had in any of the Courts aforeſaid, within any of the ſaid xii. ſhires of Wales, or towne and Countie of Hauerforde weſt, which Fine or Recouerie, or any part or parcell thereof, nowe is, or at any time before the firſt day of June, which ſhalbe in the yeere of our Lord God 1585. ſhalbe exemplifyed vnder the Judiciall ſeale of the ſaid Courtes, at or by the ſuite of any perſon, that is or may be entituled to haue or ſue any writ of Errour vpon any the ſame Fines or Recoueries ſo heretofore

fore passed: Nor from any writ of Errour which shalbe had, taken or pursued, vpon any Fine or Recouerie heretofore leuied, knowledged, or had in any of the Courtes aforesaide, within any of the saide Counties Palatine, which Fine or Recouerie or any part or parcell thereof, now is, or at any time before the saide first day of June, which shalbe in the yeere of our Lord God 1585. shalbe exemplified vnder the seale of the same Countie Palatine, where the same Fine or Recouerie shalbe so leuied, knowledged or had, at or by the suite of any person that is or may bee entitled to haue or sue any writ of Errour vpon the same Fine or Recouerie so heretofore passed: Nor to barre any Feme couerte, or any person within the age of xxi. yeeres, or any person that is non compos mentis, in prison or beyonde the Seas, of or from any writ of Errour to bee had or prosecuted, for the reuersing of any Fine or Recouerie heretofore passed, leuied or suffered, in any of the saide xii. shires of Wales, towne and Countie of Hauerford west, or Counties Palatine, so that such Feme couerte or her heires within seuen yeeres next after that she become sole, and such person within the age of xxi. yeeres, or his heires within seuen yeeres next after hee shall come and be of full age of xxi. yeeres, and such person that is non compos mentis, within seuen yeeres next after hee shall become of sanæ memoriæ, and in default thereof, the heires of such person that is non compos mentis within seuen yeres next after ꝑ death of any such person being non compos mentis. And such person in prison or his heires, within seuen yeeres next after the same person shalbe at libertie, and such person beyonde the Seas or his heires, within seuen yeeres next after the returne of such person into this Realme of England, or the death of ꝑ said person, if he shall before his returne die in any forreine countrey, shall sue, take and prosecute their writs of Errour, as their cases shal seuerally require for reuersing of any of the said Fines or Recouries heretofore passed, leuied or suffered.

Prouided alwayes and be it further enacted by the authoritie aforesaid, that if any person or persons shall within the time and yeeres aforesaid commense or sue his or their writs of Errour, for the reuersing of any of the saide Fines or Recoueries heretofore passed, which sute shall fortune to abate by the death of any of the parties to the same, that then it shall and may bee lawfull for his and their heires at any time within one yeere next after the said seuen yeeres expired, to haue, sue and take their writ of Errour for the reuersing of euery such Fine and Recouerie, and if such heire be an infant within the age of xxi.

yeeres, then within one yeere next after the full age of such infant, any thing in this present Acte conteined to the contrarie thereof in any wise notwithstanding.

And bee it further enacted by the authoritie of this present Parliament, that euery person that shall at any time hereafter take the knowledge of any fine, or warrant of Attourney, of any tenant or vowchee, for suffering any common Recouerie to be leuied, knowledged, passed or had, within any of the said xii. shires of Wales, towne and Countie of Hauerforde West, or Counties Palatine, or shall certifie them or any of them, shall with the certificate of the concorde or warrant of Attourney, certifie also the day and yeere wherein the same was acknowledged: And that no person that taketh any such knowledge of any fine or warrant for any Recouerie, shalbe bound or by any meanes inforced to certifie any such knowledge or warrant, except it be within one yeere next after the said knowledge taken. And that no Clarke or officer in any of the said xii. shires of Wales, towne and Countie of Hauerforde West, or Counties Palatine, shal receiue any writ of Couenãt, or writ of Entree, or any other writ, whereupon any Fine or common Recouerie is hereafter to passe, vnlesse the day of the knowledge of the same fine and warrant shall appeare in or by such certificate, vpon paine that euery Clarke that shall receiue any such writ, shal forfeite for euery time that he shal so offende, the summe of fourtie shillings. And that no Attourneyment in or vpon any such fine, in any of the Courtes aforesaide, be entred vpon Record, except the partie mentioned to attourne therein, first haue appeared in the Court in person or by Attourney, warranted by the handes of one of the Justices of the same Court, vpon a writ of Quid iuris clamat, quem redditum reddit, or per quæ seruitia, as the cause requireth. And that euery entrie of Attourneyment hereafter to be made in any of the Courtes aforesaide, wherein there shalbe no apparance as aforesaid, shalbe vtterly voyde and of none effect, without any writ of Errour or other meanes to be vsed for auoyding thereof.

And be it further enacted by the authoritie aforesayde, that there shalbe for euer an Office for the Inrolments aforesaid in euery of the said xii. shires of Wales, towne & Countie of Hauerford West, and Counties palatine, which shall be & cõtinue an Office for euer, called the Office of the Inrolments of Fines & Recoueries, and that the Justices of the sayde twelue Shires of Wales, Towne and Countie of Hauerforde West, and Counties palatine for the time being, that is to wit, euery

of

of them within the limittes and Precincts of their seuerall authorities and Commissions, shall haue and take the care and charge, of, and for the Inrolments aforesayd, & shall haue and enioy the said Office & the disposition thereof, and carefully see and looke to the execution thereof, & in consideration of their charges, paine, and trauaile therein, shall haue and take the summes of money hereafter following, and no more, that is to say, for the Inrolment and examination of euery fine and the partes thereof, v.s. and for the Inrolment and examination of euery Recouerie and the partes thereof, v.s. and for euery exemplification of the Inrolment of euery fine, and the partes thereof, iii.s. iiii.d. and for euery exemplification of the Inrolment of euery Recouerie, and the partes thereof, iii.s. iiii.d. and for the search of the Rolles for one yeere iiii.d. and for the copie of one sheete of paper, conteining fourteene lines iiii.d. and that the Justices of the saide Courtes of Assises, or great Sessions for ȳ time being within the said twelue Shires of Wales, Towne and Countie of Hauerforde West, and Counties palatine, or any one of them, within the seuerall limittes and Precinctes of their said seuerall Commissions, shall examine the Inrolment of euery such Fine and Recouerie, and of the partes thereof, and after such examination of the Inrolment of euery such Fine and Recouerie, & of the partes thereof, shall immediately write his name that so examineth with his owne hand, in the Rolle thereof, vpon paine that the saide Justices shall forfeite to our Soueraigne Lady the Quenes Maiestie, the summe of fourtie shillings, for euery time that they or one of them shall make default of such examination or writing of his or their name as is aforesayd, and that it shall and may be lawfull for the sayd Justices or any of them for the time being, to take order in all things that shalbe conuenient and needefull for the Inrolments aforesayd, and vpon examination in the sayd Courts, to assesse such fine or amerciament vpon any Clerke, Shirife, Deputie, Attourney, or any other person for his and their misprision, contempt, and negligence, for not doing or mis-doing in any thing, of, in, or concerning the said Fines or Recoueries, or any part of them, or either of them, as by the sayd Justices for the time being, or any one of them shalbe thought meete and conuenient. The saide fine and amerciament to be estreated amongst other Fines & amerciaments of that Court where such offence or misprision shall be committed.

And be it further enacted by the authoritie aforesayd, that the

the exemplification of any such Inrolment of any Fine or Recouerie, or of any part thereof, within any of the sayd twelue Shires of Wales, or the sayd Towne and Countie of Hauerforde west, vnder the Judiciall Seale of the sayde Shire Towne, or Countie where such Fine or Recouerie was leuied, had, or passed, and the exemplification of any such Inrolment of any Fine or Recouerie, or of any part thereof, within any of the said Counties palatine, vnder the Seale of that Countie palatine where such Fine or Recouerie was leuied, had, or passed, shall be of as good force and validitie in the lawe to all intents, respectes, and purposes for such part and so much of any of them as shalbe so exemplified, as the very originall Recorde it selfe being extant and remaining, were, or ought by lawe to be.

Prouided alwayes and be it enacted by the authoritie aforesaide, that it shalbe lawfull for the Justices Clerkes authorized by their Warrant in the sayde seuerall Offices and places, where the same Records or any of them, doe, or shall remaine, to write out, or enroll the same Records and euery part thereof, and that the said Records, nor any of them for the writing out or making the Rolles thereof by the Clerks of the sayd Justices, shalbe brought or caried forth of the sayd Offices or places.

And be it further enacted by the authoritie aforesayd, that none of the said Fines or Recoueries aforesayde heretofore leuied, passed, or suffered, which shall be exemplified vnder any Judiciall Seale of any of the sayde Shires of Wales, or Towne or Countie of Hauerford west, or vnder the Seale of any of the sayd Counties palatine, according to the forme of this Acte, shall after such exemplifications had, be in any wise amended.

Prouided alwayes, that this Act or any thing therein conteined, shal not in any wise extend to ꝑ prejudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his heires or assignes, Henry Vernon or John Vernon, Esquiers, or their heires or assignes, for, or concerning any Fine leuied, or Recouerie suffered, by, or against the saide Lorde Powys, of any Baronies, Honours, Mannours, Lands, Tenements, or Hereditaments in the Countie of Mountgomerie, or any exemplification thereof, or for or concerning any writ of Error, brought, or to be brought for the reuersing of any such Fine or Recouerie: But that they and euery of them, shal haue, enioy ꝑ same right, title, benefite

and

and aduantage to all intents and purpoſes, as if this Act had neuer bene had or made.

And forasmuch as vpon great examination it appeareth, that diuers Fines and Recoueries haue bene heretofore leuied and ſuffered of diuers Caſtels, Mannors, Meſuages, Lands, Tenements, and Hereditaments, which ſometime were the inheritance of George, ſometime Earle of Kent, great graundfather to Henry nowe Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder, whereunto the ſayd nowe Earle of Kent pretendeth Title, in vſe, poſſeſſion, reuerſion, or remainder, which if they be erronious as is pretended, doe much varie from the generall cauſe and miſchiefe for which this Statute meaneth to prouide: Be it therefore enacted by the authoritie aforeſayde, that neither this Statute, nor any thing therein conteined, ſhall extende to take away any writ of Error, whereunto any perſon or perſons is nowe, or hereafter ſhall be lawfully intituled to haue for the reuerſing of the ſaid Fines and Recoueries or any of them heretofore leuied or ſuffered of any of the ſayde Caſtels, Mannours, Meſuages, Lands, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the ſayd George, ſometime Earle of Kent, in vſe, poſſeſſion, reuerſion or remainder, any thing in this Statute conteined to the contrary thereof in any wiſe notwithſtanding.

An acte for the continuance of a former Statute, entituled, *An acte to redreſſe* diſorders in common Informers, vpon penal ſtatutes: made in the xviii. yeere of the Queenes Maieſties reigne.

Chap. x.

Where in the Parliament holden at Weſtminſter, the eyght day of Februarie, in the xviii. yeere of the reigne of our moſt gratious Soueraigne Ladie Queene Elizabeth, there was amongeſt others an Acte made, entituled, An acte to redreſſe diſorders in common Informers vpon penall Lawes

Lawes, which Acte is to continue in force and effecte, but vnto the end of this Session of this present Parliament: For as much as the sayde Acte is founde by experience since the making of the same acte, to be very necessarie, beneficiall and expedient for the common wealth:

Be it therefore enacted by the authoritie of this present Parliament, that the same Acte aboue remembred, and all and euery the branches, clauses and prouisions in the same conteined, shall remaine, continue and be from henceforth in full force and effect for euer.

An Acte for the reuiuing, continuation, explanation, and perfecting of diuers Statutes.

Chapter xi.

WHere in the first Session of Parliament begunne in the Citie of London the thirde day of Nouember, in the xvi. yere of the raigne of our late soueraigne Lord of famous memorie King Henrie the eyght, and from thence adiourned and prorogued to the Pallace of Westminster, an Act or Statute was made, intituled, An Act for the true making of Cables, Hallers, and Ropes: And where in the Parliament holden vpon prorogation at Westminster, the iiii. day of Februarie, in the xviii. yeere of the raigne of the sayd King, one other Acte was then & there made, intituled, An Acte against killing of young beastes, called weanelings: And where in the Session of a Parliament ended at Westminster the first day of Februarie, in the iiii. yeere of the reigne of our late soueraigne Lord King Edward the first, one Acte was made concerning the buying and selling of Rother beastes and cattell: And also one other Acte was then and there likewise made, intituled, An Acte for

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the buying and ſelling of Butter and Cheeſe: And where alſo in the Parliament begunne at Weſtminſter, the xviii. day of Januarie, in the firſt yeere of the reigne of the Queenes Maieſtie that nowe is, and there continued by prorogation vntill the diſſolution thereof, one Act was then & there made, intituled, An Acte for preſeruation of Spawne & Frye of fiſh: And where alſo in the firſt ſeſſion of the Parliament holden at Weſtminſter the xii. day of Januarie, in the fifth yeere of her Highneſſe reigne, one Acte was then and there made, intituled, An Act for the maintenance and encreaſe of tillage: And one other Act was then and there likewiſe made, intituled, An Acte for the auoyding of diuers forreine wares made by handicraftes men beyond the ſeas: And one other Acte for the puniſhment of ſuch perſons as ſhould procure or commit any wilful periurie: And one other Acte was then and there made, intituled, An Acte touching certaine politique conſtitutions, made for the maintenance of the Nauie: And where alſo in the laſt ſeſſion of the parliament holden by prorogation at Weſtminſter the laſt day of September, in the viii. yeere of her Maieſties reygne, one Act was then & there made, intituled, An Acte for Bowyers & the prices of Bowes: And where alſo in the Parliament begun and holden at Weſtminſter the ſecond day of Aprill, in the thirteenth yeere of her Maieſties reigne, one Acte was then and there made, for the auoyding and abolishing of fayned, couenous, and fraudulent feoffements, gifts, graunts, alienations, bandes, ſuites, iudgements, and executions, intituled, An Act againſt fraudulent deedes, giftes, graunts, alienations, &c. And where alſo in the ſayde Parliament begun & holden at Weſtminſter in the ſayd ſecond day of Aprill, there was alſo one other Act and Statute made for the auoyding of ſome leaſes in certaine caſes, to be made of Eccleſiaſticall promotions with cure, intituled, An Acte touching leaſes of benefices, and other Eccleſiaſticall liuings with cure: And where alſo there was one other Acte and Statute made in the ſayde Parliament begun and holden at Weſtminſter the ſaid ſecond day of Aprill, in the ſaid xiii. yeere, intituled, An Acte that Purueyours may take grayne, corne or victuals within fiue miles of Cambridge and Oxford in certaine caſes: And alſo, one other Acte was then and there made, intituled, An Act againſt Vſurie: And where in the Parliament holden at Weſtminſter the eyght day of May, in the xiiii. yeere of her Highneſſe raigne, there was one other Acte made, intituled, An Acte for the continuation, explanation, perfitting and inlarging of di-

uers statutes: And where also in the first Session of the Parliament begun and holden at Westminster the xii. day of Januarie, in the v. yeere of her Highnesse raigne, and from thence continued by prorogation vntill the dissolution thereof, there was one other Acte made for the reuiuing of a Statute of secundo & tertio Philippi & Marię, for ỳ amending of high wayes: And where also in the first Session of the Parliament begun and holden at Westminster the eight day of May, in the xiiii. yeere of the Queenes Highnesse raigne that now is, and from thence continued by prorogation till the dissolution thereof, there was one other Acte made, intituled, An Acte for the punishment of Vagabondes, and for the relieue of the poore and impotent: And where in the Parliament holden at Westminster aforesayd, in the xviii. yeere of her Maiesties raigne, there was one other Act made, intituled, An Acte for the setting of the poore on worke, and for the auoyding of ydlenesse: Forasmuch as all the same seuerall Actes and Statutes, and euery of them do seeme good, beneficiall, and needefull to the weale and profite of this Realme, bee it therefore enacted by the Queenes most excellent Maiestie, with the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that the foresayd Act made in the sayd xxi. yeere of king Henrie the eight, shall be from the feast of Pentecost next ensuing reuiued & stand in ful strength & force. And that aswel the same statute, as all the residue of the foresayd seuerall Statutes and Actes before recited, and euery of them, and all and euery article, clause and sentence in them and euery of them conteyned, and also all and euery the additions, alterations and explanations of the sayde Statutes, not heretofore or by any other Acte in this present Session of Parliament repealed or altered, shalbe continued and endure in full force and effect during the time hereafter mentioned.

Prouided alwayes, and be it enacted by the authoritie aforesayde, that from henceforth it shall and may bee lawfull to all and euery the Queenes Maiesties Subiectes, to bring into this Realme all and all maner of Pynnes made beyonde the Seas, any Acte or Statute to the contrary notwithstanding.

Prouided also, & be it likewise enacted, that so much & such part & partes of the Statute only made in the sayd fifth yeere of the Queenes Maiesties raigne that nowe is, intituled, An Acte touching certaine politique constitutions made for the maintenance

maintenance of the Nauie, as concerne the eating of fish or restrayne the eating of flesh, or prohibiting the suffering of any flesh to be eaten vpon any Wednesday, not being before the making of the sayd Statute by the Lawes of this Realme vsed as a fishe day, and euery matter, clause, article and penaltie in the sayde Statute conteyned, concerning the same, shall so farre forth onely as they concerne the same, from henceforth be repealed, ceasse and be vtterly voyde, any thing in the sayd Statute contayned to the contrary notwithstanding.

And for the better incouragement of Fishermen to go to the Seas, and to bestowe their time and trauaile in fishing, bee it enacted by the authoritie of this present Parliament, that from henceforth it shall and may be lawfull, to and for euery the Queenes Highnesse Subiects, to vtter & sell all maner of Sea fish vpon any flesh day in the weeke, other then the Sundayes, in euery Citie, Borough, Towne corporate or market Towne whatsoeuer within this Realme: Any priuiledge, Charter or prescription to the contrary notwithstanding.

And to the intent that the Fridayes, Saterdayes, & dayes appoynted by former Lawes to be fish dayes, may the better be obserued for the vtterance and expense of fish, & for the sparing of flesh: Be it enacted, that from the feast of Pentecost next ensuing, no Inholder, Tauerner, Alehouse keeper, common Victeler, common Cooke, or cõmon Table keeper, shal vtter or put to sale, or cause to be vttered or put to sale vpon any the sayde dayes, not being Christmas day, or vpon any day in the time of Lent, any kinde of flesh victuals (except it be to such person and persons resorting to his or their sayde house or houses, as haue or shall haue lawfull license to eate the same) according to the tenor and true meaning of the sayde Statute made in the sayde fifth yeere of the reigne of the Queenes Highnesse that nowe is, vpon paine of forfaiture of fiue pounds, and shall also suffer ten dayes imprisonment without baile, mainprise, or remouer for euery time so offending, one thirde part thereof to be to the Queenes Maiestie, her heires and successors, one other thirde part thereof to the Lord or Lords of the Leete for the time being where such offence shalbe committed, and the other thirde part thereof, to him or them that will sue for the same in any her Maiesties courts of Record, by action of debt, bill, plaint, or information, in which no Essoine, protection, or wager of Lawe shalbe allowed, and the sayde offence and offẽces, by vertue of this Statute shalbe inquired of, heard, and determined, in maner and forme as is expressed for the offẽces

conteined in the sayd Statute, made in the said fift yere of her Maiesties said reigne: Sauing alwaies vnto ỹ Cinque Ports, and to the Towne of great Yarmouth, all such lawfull liberties as they now haue, by reason of any former Act of Parliament or Charter touching the free Fayre yeerely to be holden at the sayd Towne of great Yarmouth.

Prouided alwayes, that no person or persons shall be sued, vexed, or troubled for any offence or offences contrary to the Statute or Statutes nowe continued for and concerning tillage, vnlesse the information, action or suite bee or shall be brought for the punishment of such offence or offences within two yeeres next after the fute or action, or title of action or fute, shalbe deuolued or accrewed to the person or persons that shall so sue or informe against the offender or offenders: And that euery information vpon any the sayd Statutes of Tillage to be exhibited for the Queenes Maiestie, her heires and successors onely, shalbe brought within fiue yeres after the action or information accrue to her Highnesse, her heires or successors. This Acte to continue till the ende of the next Parliament nowe next insuing.

An Acte for the swearing of vnder Sheriffes, and other vnder Officers and ministers.

Chap. xii.

FOrasmuch as grieuous cõplaintes are many times made of the misdemeanour and euill behauiour of Undersheriffes, who often times hauing to them committed by the high Sheriffe, the whole or part of the exercising and executing of the office of the high Sheriffe, and not taking any corporall othe, as the high Sheriffe doeth, for the executing and discharging of the same office, do therfore daily most iniuriously through corruption & affection impanel Iurours for the Queenes Maiestie, and betwixt partie and partie, to the great losse,

losse, damage, and hinderance of diuers her Maiesties louing subiects of this Realme: For reformation whereof, be it enacted by the authoritie of this Parliament, that all and euery person & persons, that from, and after the last day of the Session of this present Parliament, shall be admitted to, or take vpon him the executing of the office of an vnder Sheriffe, in any Shire or Countie within this Realme of Englande, before he entermeddle with the vse or exercise of the saide office, shall receiue and take a corporall Othe vpon the holy Euangelistes, before the Justices of Assise, or one of them of the same circuite wherein that Countie is, whereof he shall be vnder Sheriffe, or before the Custos Rotulorum, or two Justices of the Peace, whereof one to be of the Quorum of the saide Countie whereof he shalbe vnder Sheriffe as aforesaid, for, and concerning the Supremacie, in such maner and fourme as that Othe is expressed and declared in one Act of Parliament made, and ordained in the first yeere of the raigne of our saide Soueraigne Ladie the Queenes Maiestie, together with which Othe hee shall in like sort, before the same person or persons, receiue and take one other corporall Othe, as followeth, (that is to say:) I A.B. shal not vse or exercise ẏ Office of vnder Sheriffe, corruptly, during the time ẏ I shal remaine therein, neither shal, or will accept, receiue or take by any colour, meanes or deuise whatsoeuer, or consent to the taking of any maner of Fee or reward, of any person or persons, for the impanelling or returning of any Inquest, Jurie or Tales in any court of Record for the Queene, or betwixt partie and partie, aboue two shillings, or the value thereof, or such Fees as are allowed and appointed for the same, by the Lawes and Statutes of this Realme: But will according to my power truely and indifferently with conuenient speede impanell all Jurours, and returne all such writte or writtes touching the same, as shall appertaine to be done by my duetie or office, during the time that I shall remaine in the saide office, So helpe mee God. And likewise be it enacted by the authoritie aforesaid, that this Act shall be a sufficient warrant to the persons appointed by this Act, to minister the Oth aforesaide, for the ministring thereof accordingly.

And be it further enacted by the authoritie aforesaide, that euery vnder sheriffe that is already chosen and appointed for the executing of the said office of vnder Sheriffe for the yere or time begun, of, or vpon the last change of Shiriffes, shall within fortie daies next ensuing the Session of this present Parlia-

ment, receiue and take the Othes mẽtioned in this Act, before such person or persons, as by this Act is, or are limited and appointed to minister the same.

And be it further enacted by the authoritie aforesaide, that euery Bailiffe of Franchies, Deputie & Clarke of euery Sheriffe & vnder Sheriffe, & euery other person and persõs, which after fourtie dayes after the ende of this Session of Parliament, shall haue authoritie, or take vpon him to empanel or returne any Inquest, Jurie, or Tales, or to entermeddle with execution of Processe, in any Court of Record, shal before he or they intermeddle with any further execution thereof, receiue and take the Othes aforesaide corporally, before the person or persons appointed by this Acte to minister the same, or before the head Officer of the place, if it be a Towne corporate, changing only the wordes (the office of vnder Sheriffe) contained in the Othe expressed in this Act, to such wordes as are conuenient for the Deputation, Office or place, in which the partie which taketh the Othe, is to be exercised in. And if any the said persons, limited to take the Othe aforesaid, doe take vpon him to impanell or returne any Inquest, Jurie or Tales, or to intermeddle with the execution of processe, not hauing before taken the Othes aforesaide, that then euery such person shall lose & forfait the summe of xl. pounds of currant English money, the one moytie to be to ỳ vse of our Soueraigne Lady ỳ Quene, the other moytie to him or them that will sue for the same.

And be it further enacted by the authoritie aforesaid, that if any vnder Sheriffe, or other person mentioned in this Act, or any of them, at any time & times, from and after fourtie daies next ensuing the last day of this present Session of Parliament, shall doe, or commit any Acte or Actes, contrary to the Othes aforesaide, or either of them, or contrary to the true entent and meaning of this Acte, that then euery such person so offending, shall forfaite and lose for euery such offence to the partie or parties grieued, his or their treble dammages. All which seuerall forfaitures before mentioned, shall or may, by the authoritie of this present Act be recouered, had, and leuied by action of Debt, Bill, Plaint, or Information in any of the Queenes Maiesties courtes of Record, in which Actions, Suits, Plaints or Informations, no wager of lawe, Essoyne or Protection shall be allowed.

And be it further enacted, by authoritie aforesaide, that the Justices of Assise, and Justices of Peace, in their open Sessions, shall haue full power within the limites of their authoritie,

ritie, to heare and determine the defaultes done contrary to this Acte, as well by presentment and information, as indite-ment: And vpon conuiction of the offendours, to awarde execution for the leuie of the forfaitures aforesaide, by fieri facias, or by attachement, Capias or Exigendum.

An Acte for the following of Huie and Crie.

Chapter xiii.

WHereas by two auncient statutes, the one made in the Parliament holden at Winchester, in the thirteenth yeere of the reigne of King Edward the first, and the other in the eight and twentieth yeere of the reigne of King Edwarde the thirde, it was for the better repressing of Robberies and Felonies (amongst other thinges) enacted to this effecte, That if the Countrey doe not answere for the bodies of such malefactors, that then the paine should be such, that is to wit, that the people dwelling in the Countrey, shall be answerable for the robberies done, & the damages: so that the whole hundred where the robbery shalbe done, with the Franchises which are within the precinct of the same Hundred, shall answer the robberies done. And if the robberie chaunce to be done in the diuision of two Hundreds, that then both the Hundreds together, with the Franchises, within the precint of them, shall be answerable, as in the said two seuerall Statutes it doth more at large appeare. For as much as the saide partes of the saide seuerall Statutes being of late dayes more commonly put in execution, then heeretofore they haue beene, are founde by experience to be very hard and extreeme, to many of the Queenes Maiesties good subiects, because by the same Statutes they doe remaine charged with the penalties therin contained, notwithstanding their vnhabilitie to satisfie the same, and though they doe as muche, as in reason might bee required in pursuing suche malefactours and offendours, whereby doth large scope of negligence is giuen to the inhabitaunts and resiaunts in other Hundreds and Counties, not to prosecute the Huie and Crie made, followed, and brought vnto them, by reason they are not chargeable for any portion of the goodes robbed,

nor with any dammages in that behalfe giuen, and also great incouragement and enboldning is likewise giuen vnto the offēders to commit dayly more fellonies and robberies, as seeing it in maner impossible for the inhabitants, & resiants of the said Hundred and Fraunches wherein the robberie is committed, to apprehende them without the ayde of the other Hundreds and Counties adioyning, and for that also the partie robbed hauing remedie by the aforesayd Statutes for the recouering of his goods robbed, and dammages against the inhabitants and resiants of the Hundred wherein the robberie was committed, is many times negligent & careles in prosecuting and pursuing the sayd malefactors & offenders: Our Soueraigne Lady the Queenes Maiestie, not willing therefore that her people should be impouerished by any such payne or penaltie, which should be hard or grieuous to them, and hauing speciall regard to abate the power of Felons, and to represse felonies, doeth for remedy hereof, with the consent of the Lords Spiritual and Temporal, & of the Commons in this present Parliament assembled, and by the authority of the same Parliament, establish and enact, that the inhabitantes and resiants of euery, or any such Hundred, (with the Frāchises, within the precinct thereof) wherein negligence, fault or defecte of pursuite, and freshe suite, after Huy and crie made, shall happen to be, from and after fourtie daies, next after the ende of this present Session of Parliament, shal answere and satisfie the one moitie or halfe, of all and euery such summe and summes of money and damages, as shall by force or vertue of the saide Statutes or either of them be recouered or had against, or of the sayde hundred, with the Franchises therein, in which any robberie or fellonie, shall at any time heereafter be committed or done. And that the same moytie, shal and may be recouered by action of debt, bill, plaint, or information in any of the Queenes Maiesties Courtes of recorde at Westminster, by, and in the name of the Clarke of the Peace, for the time being, of or in euery such Countie within this Realme, where any such robberie and recouerie, by the partie or parties robbed shall be, without naming the Christian name or surname of the saide Clarke of the Peace, which moytie so recouered, shall be to the onely vse and behoofe of the inhabitāts of the saide hundred, where any such robberie or fellonie shall be committed or done.

And be it further enacted by the authoritie aforesaid, that if any Clarke of the Peace, of, or in any Countie within this Realme, shal at any time heereafter commence or preferre any

such

ſuch Sute, Action, or Inforꝛmation, and ſhall after the ſame ſo ſued, commenced, or preferred, happen to die, or to be remooued out of his Office, before recouerie and execution had: that yet no ſuch Action, Sute, Bill, Plaint or Inforꝛmation, ſued, commenced, or preferred, ſhall by ſuch diſplacing, or death, be abated, diſcontinued or ended, but that it ſhall and may be lawfull, to and for the Clarke of the Peace next ſucceeding in the ſaide Countie, to proſecute, purſue and followe, all and euery ſuch Action, Bil, Plaint, Sute and Inforꝛmation, for the cauſes aforeſaid, ſo hanging and depending in ſuch maner and forme, and to all intents and purpoſes, as that Clarke of Peace might haue done, which firſt commenced or preferred the ſaid Sute, Bil, Plaint, or Inforꝛmation. And although the whole Hundred, where ſuch robberies and felonies are committed with the liberties, within the precincte thereof, are by the ſaide two former Statutes charged with the anſwearing to the party robbed his damages: yet neuertheleſſe the recouerie and execution, by and for the partie or parties robbed, is had againſt one or a very fewe perſons of the ſaide inhabitantes, and he and they ſo charged, haue not heretofore by lawe had any meane or way, to haue any contribution, of or from the reſidue of the ſaid Hundred, where the ſaide robberie is committed, to the great impoueriſhment of them, againſt whom ſuch recouerie or execution is had.

For remedie whereof, Be it enacted by the authoritie aforeſaid, that after execution of Damages by the partie or parties ſo robbed had, it ſhall & may be lawfull (vpon complaint made by the partie or parties ſo charged) to and for two Juſtices of the Peace, (whereof one to be of the Quorum,) of the ſame Countie, inhabiting within the ſaide Hundred, or neare vnto the ſame, where any ſuch execution ſhalbe had, to aſſeſſe, and tare ratably and proporꝛtionably, according to their diſcretions, all and euery the Townes, Pariſhes, Villages and Hamlets, aſwell of the ſaid Hundred where any ſuch robberie ſhall be committed, as of the Liberties within the ſaid Hundred, to and towards an equall contribution to be had and made, for the relefe of the ſaide Inhabitant or Inhabitants, againſt whom the partie or parties robbed, before that time had his or their execution: And that after ſuch taration made, the Conſtables, Conſtable, Hedborroughes or Headborrough of euery ſuch Towne, Pariſh, Village and Hamlet, ſhall by vertue of this preſent Acte, haue full power and authoritie within their ſeuerall Limites, ratably and proporꝛtionably to tare and aſ-

ſeſſe

ſeſſe accoꝛding to their abilities, euery Inhabitant and dweller in euery ſuch Towne, Pariſh, Village and Hamlet, foꝛ and towards the paimēt of ſuch taxation and aſſeſſement as ſhalbe ſo made, vpon euery ſuch Towne, Pariſh, Village & Hamlet, as afoꝛeſaid, by the ſaid Juſtices: And that if any inhabitāt of any ſuch Towne, Pariſh, Village oꝛ Hamlet, ſhall obſtinately refuſe & denie to pay the ſaide taxation & aſſeſſement, ſo by the ſaid Conſtables, Cōſtable, Hedboꝛoughs oꝛ Hedboꝛough taxed and aſſeſſed, that then it ſhall and may be lawfull, to & foꝛ the ſaid Conſtables and Hedboꝛoughs, and euery of them within their ſeueral limites and iuriſdictiōs, to diſtreine all and euery perſon and perſons ſo refuſing & denying by his & their goodes and chatteis, and the ſame diſtreſſe to ſel, and the mony therof comming, to retaine to the vſe afoꝛeſaide. And if the goodes oꝛ chatteis ſo diſtrained and ſold, ſhall be of moꝛe value then the ſaide Taxation ſhall come vnto, that then the reſidue of the ſaide money, ouer and aboue the ſaide Taxation, ſhall be deliuered vnto the ſaid perſon oꝛ perſons ſo diſtrained.

And be it further enacted, that all & euery the ſayd Conſtables and Hedboꝛoughes, after that they haue with in their ſeuerall limites and iuriſdictions, leuied and collected their ſaide Rates and ſummes of money ſo taxed, ſhal within tenne dayes after ſuch Collection paie & deliuer the ſame ouer vnto the ſaid Juſtices of Peace, oꝛ one of them, to the vſe and behoofe of the ſaid Inhabitant oꝛ Inhabitants, foꝛ whom ſuch Rate, Taxation and Aſſeſſement ſhall be had oꝛ made as afoꝛeſaid: which money ſo paied, ſhall by the Juſtices oꝛ Juſtice ſo receiuing the ſame, be deliuered ouer (vpon requeſt made) vnto the ſaid Inhabitant oꝛ Inhabitāts, to whoſe vſe the ſame was collected.

And be it further enacted by the authoꝛitie afoꝛeſayde, that the like Taxation, Aſſeſſement, leuying by diſtreſſe and paiment, as afoꝛeſaide, ſhall be had and done within euery Hundꝛed, where default oꝛ negligence of purſuite & freſh ſute ſhall be, foꝛ and to the benefite of all and euery Inhabitant and Inhabitantes of the ſame Hundꝛed, where ſuch default ſhall be, that ſhall at any time heereafter by vertue of this preſent Act, haue any damages oꝛ mony leuied of them, foꝛ oꝛ to ꝑ paiment of the one moytie, oꝛ halfe of the mony recouered againſt ꝑ ſaid Hundꝛed, where any robberie ſhall be hereafter committed.

Prouided alſo, and be it further enacted by the authoꝛitie afoꝛeſaide, that where any robberie is, oꝛ ſhall be heereafter committed by two, oꝛ a greater nomber of maleſactours, and that it happen any one of the ſaid offenders to be appꝛehended by

by purſuite to be made accoꝛding to the ſaid foꝛmer mentioned Lawes and Statutes, oꝛ accoꝛding to this pꝛeſent Acte, that then and in ſuch caſe, no Hundꝛed oꝛ Franchiſe, ſhall in any wiſe incurre, oꝛ fall into the penaltie, loſſe oꝛ foꝛfaiture mentioned either in this pꝛeſent Acte, oꝛ in any the ſaide foꝛmer Statutes, although the reſidue of the ſaid malefactours ſhal happen to eſcape, and not to be appꝛehended: any thing in this Statute, oꝛ in the ſaid foꝛmer Statutes, to the contrary notwithſtanding.

Pꝛouided alſo, that no perſon oꝛ perſons hereafter robbed, ſhall take any benefite by vertue of any the ſaide foꝛmer Statutes, to charge any hundꝛed where any ſuch robberie ſhalbe committed, except he oꝛ they ſo robbed, ſhall commence his oꝛ their ſute oꝛ action within one yeere next after ſuch robberie ſo to be committed.

And be it further enacted by the authoꝛitie afoꝛeſaide, that no Huie oꝛ Crie, oꝛ purſuite hereafter to be done oꝛ made by the countrey, oꝛ inhabitantes of any Hundꝛed, ſhall be allowed and taken to be a lawfull Huie and Crie, oꝛ purſuite, vpon oꝛ after any the ſaid Fellons oꝛ Offenders, except the ſame Huie and Crie and purſuite be done and made by hoꝛſemen & footemen, any vſage oꝛ cuſtome to the contrary notwithſtanding.

And be it further alſo enacted by the authoꝛitie of this pꝛeſent Parliament, that no perſon oꝛ perſons, that ſhall hereafter happen to be robbed, ſhall haue oꝛ maintaine any action, oꝛ take any benefite by vertue of the ſaide two mentioned Statutes, oꝛ either of them, except the ſaide perſon and perſons ſo robbed, ſhall with as much conuenient ſpeede as may be, giue notice and intelligence of the ſaide fellonie oꝛ robberie ſo committed, vnto ſome of the inhabitants of ſome Towne, Village, oꝛ Hamlet neare vnto the place where any ſuch robberie ſhall be committed, noꝛ ſhall bꝛing oꝛ haue any action, vpon oꝛ by vertue of any the Statutes afoꝛeſaide, except he oꝛ they ſhall firſt within xx. dayes next befoꝛe ſuch Action to be bꝛought, be examined vpon his oꝛ their coꝛpoꝛall Othe to be taken befoꝛe ſome one Juſtice of the peace of the Countie where the robberie was cõmitted, inhabiting within the ſaid hundꝛed, where the robberie was committed, oꝛ neere vnto the ſame, whether he oꝛ they doe knowe the parties that committed the ſaid robberie, oꝛ any of them. And if vpon ſuch examination it be confeſſed, that he oꝛ they doe knowe the parties that committed the ſaide robberie, oꝛ any of them, that then hee oꝛ they ſo confeſſing, ſhall befoꝛe the ſaid Action be commenced oꝛ bꝛought,

enter

enter into ſufficient bond by recognisance before the ſaide Iuſtice, before whome the ſaide examination is had effectually, to proſecute the ſame perſon and perſons ſo knowen to haue committed the ſaid robberie, by inditement or otherwiſe, according to the due courſe of the lawes of this Realme.

An acte for the reuiiuing of a former Statute for the true making of Mault.

Chapter xiiii.

WHereas in ỳ Parliament holden at weſtminſter vpon Prorogation the fourth day of Nouember, in the ſeconde yeere of the reigne of the late king of moſt famous memorie King Edward the ſixt, moſt deare brother to our Soueraigne Ladie the Queenes Maieſtie that nowe is, there was amongſt other things, one good and neceſſarie Act of Parliament made and eſtabliſhed, intituled, An Act for the true making of Mault: Which ſayde Statute was after diſcontinued, and ſo reſteth and remaineth as yet, albeit in trueth, during the continuance thereof, the ſame did much good to the common wealth, and ſo would it doe ſtill, if the ſame might be reuiued and ſtande in force as heretofore it hath done. In conſideration whereof, may it pleaſe her Highneſſe, with the conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that it may be enacted, that the ſayd former Acte and Statute aboue mentioned, and euery branch, article, and prouiſo therein conteined, ſhall be reuiued, and from henceforth continue, ſtand, and endure in force and ſtrength, to all intents, conſtructions and purpoſes, and ſhall be obſerued and kept in all things according to the tenor, effect, and true meaning of the ſame. This Act to continue for the time of three yeeres nowe next following, after the ende of this preſent Seſſion of Parliament: and after the ende of the ſayd three yeeres, then to the ende of the Parliament then next after following.

An

An acte for the bringing in of *Staple fish and Herrings into* this Realme.

Chapter xv.

Hereas diuers Townes ſituate vpon the Sea coaſts in the Counties of Norfolke & Suffolke, being townes mainteined by fiſhing, and haue tranſported & brought very many Herrings and much fiſhe to the Citie of Yorke, to Boſton, Grimelbie and Kingeſton vpon Hull, and diuers other Townes vpon the North coaſt of this Realme, whereby the North countrey hath bene well ſerued and at reaſonable prices, till of late time that the ſaid coaſt men of Suffolke and Norffolke and others were ſet at libertie to tranſporte their Herrings to what Realme or kingdome they would, to ſell at their pleaſure without Subſidie or cuſtome paying to your Maieſtie, ſo that whereas they did yeerely bring to the Countie of Yorke and the ſayde Citie of Yorke, to Boſton, Grymelbie and Kingeſton vpon Hull, not leſſe then a thouſande laſtes of white and redde herrings, with great quantitie of ſalt fiſhe, beſides great quantitie of fiſh and Herrings they brought to diuers Townes of the North coaſt, wherewith Yorkeſhiere, Lyncolneſhiere, Nottinghamſhiere, Derbieſhier, Cheſhiere, Lancaſhiere, Cumberlande, Weſtmerlande, Northumberlande, and Biſhoprieke of Durham were well ſerued with herrings and Staple fiſhe and at reaſonable prices, and now they bring none or a fewe, ſo that herrings and Staple fiſhe is brought and growen to exceſſiue prices, and wilbe greater for that the ſaide coaſtmen do ſhippe their redde herrings to Sealande, and both redde and white Herrings for Roane, Nantes, Rochell, Burdeaulx and other places in the Realme of Fraunce, and beſides their tranſpor-

ting or shipping, a great number is shipped and transported by the marchants for Portingale, and within the Straites of Marocko for Italie, so that the North parts of this realme being farre from the Sea haue great scarcitie of fishe and herrings, and shall haue greater, vnlesse some present remedie be had for the same: Therefore may it please your Maiestie, that it may be enacted by the Lordes Spirituall and Temporall, and commons of this present Parliament, that it may be lawfull for any of your Maiesties subiectes of this Realme, for seruing of the saide Counties and North partes, to bring into this Realme from the partes beyonde the Seas, in English shippes or Crayers being sailed by English Mariners with crosse sayles, Herrings, Staple fish and Ling fish, paying your Maiestie Custome or Subsidie for the same Herrings, and Staple fish and Ling fish, to the Citie of Yorke, the Townes of Boston, Grimesbye, Kingeston vpon Hull, Newe Castle, Scarborough, or to any towne or Creeke in the North parts, so as none of the saide fish be shipped from any those North partes into any place of Englande South or Southwest from Boston, any Acte, Statute or Prouiso in any Acte heretofore made to the contrary notwithstanding.

Prouided alwayes, that this Acte nor any thing herein conteined shall continue and be in force for any longer time, then for flue yeeres nowe next following, and so from thencefoorth vnto the ende of the next Parliament from thence then next following.

Prouided alwayes, that this statute nor any thing therein conteined, shall be preiudiciall or in any maner of wise hurtfull vnto the Towne of Barwicke vpon Tweede, nor to the Burgesses of the same towne, nor to any of them, or to their heires or successors, but that they may lawfully vse, haue, enioy and occupie all and singular such franchises, liberties, vsages and customes as at any time heretofore they haue or might haue done, in such maner and forme as if this statute had neuer bin had or made, any thing in the same statute conteined to the contrary notwithstanding.

An

An acte touching Artificers vsing the cutting of Leather.

Chapter xvi.

Whereas in the Parliament holden and kept at Westminster the xii. day of Januarie in the fifth yere of the reigne of the Queenes most excellent Maiestie, amongst other thinges it was then enacted, that no person or persons should or might after the feast of Pentecost then next to come, buy, bargaine, bespeake or take promise to haue any tanned leather not wrought and conuerted into made wares, but onely such person and persons as would and should worke and conuert the same Leather into made wares, vpon paine of forfaiture of the saide Leather so bought, or the value thereof. Sithence the making of which saide Acte, diuers Curriers and other persons, perceiuing that by the saide Statute there is no sufficient meanes prouided for the restraint and punishment of such persons as shall sell any Leather vnwrought and not conuerted into made wares, but the buyers onely, haue gotten, and by sundrie secret fraudulent compacts, shiftes and practizes for their priuate lucre, and vnlawfull gaine, do dayly get into their hands great quantities of Leather, and the same doe sell againe vnwrought and not conuerted into any made wares, at very excessiue prises, to the vtter defrauding of the true intent and meaning of the saide Statute: For reformation whereof, and to the ende the true intent of the saide Statute may be put in due execution to the benefit of the Common wealth of this Realme, Be it therefore enacted by the authoritie of this present Parliament, that from & after the feast of Pentecost, commonly called Whitsunday next ensuing, it shall not be lawfull to or for any Currier or Curriers, or any other person or persons whatsoeuer within this realme of England by any wayes, meanes, shiftes, practise or deuise whatsoeuer,

euer, to bargaine, sell, exchange, or put away any tanned Leather vnwrought, and not cut and conuerted into some kinde of made wares now vsed, or which hereafter shalbe vsed within this Realme, vpon paine of forfaiture of double the value of the said Leather: Any former Lawe, Statute or other thing, to the contrarie hereof in any wise notwithstanding: The one moitie of which forfaiture shalbe to our Soueraigne Lady the Queenes Maiestie, her heires & successours, the other moytie to him or them that will sue for the same, by bill, plaint or information: In which no Essoine, wager of Lawe, nor protection shalbe allowed.

Prouided alwayes that it shall and may bee lawfull to and for all and euery person or persons whatsoeuer, vsing, occupying, or exercising the trade of tanning of Leather, or to the executors or administratours of euery or any such persons, to bargaine, sell, and put away such Leather, as shall be by them or any of them tanned in such sort, maner & forme, as they might haue done before the making of this Act, Any thing herein conteined to the contrarie notwithstanding.

Prouided also and bee it enacted by the authoritie aforesaide, that it shalbe lawfull to all and euery person and persons to whome any Leather by force of any former Lawe or Statute, shalbe forfaited, and to all other person and persons to whose hande any tanned Leather shall come, as Executor, or Administrator to any artificer vsing to worke Leather into wrought wares, or by bequest from such artificer, to bargaine, sell, & put away such tanned Leather as shall come vnto them or any of them by any the meanes aforesaide, to any artificer vsing to conuert tanned Leather into wrought wares. And likewise to all artificers vsing to conuert tanned Leather into wrought wares, which shall buy any tanned Leather to the intent to worke the same into wares, to sell and put away the wombes, shreds, and neckes which they cannot occupie about their workes: This Acte or any other Acte or Statute to the contrary in any wise notwithstanding. This Acte to continue for the space of fiue yeeres next after this present Session of Parliament, and from thence to the ende of the Parliament then next following.

¶ An acte

An acte touching the breadth of white woollen Clothes made in the Counties of Sommerſet, Wilteſh. Glouc. and Oxon. &c.

Chap. xvii.

WHereas in the Parliament holden at Weſtminſter in the fifth and ſixth yeeres of the reigne of our late Soueraigne Lord king Edward the ſixt, one Statute was made, intituled, An Acte for the true making of woollen Cloth: whereby (amongſt other things) it was enacted, that all Whites and Reddes, which after the feaſt of ſaint Michael Tharchangel then next comming, ſhould be made in the Shyres or Counties of Wiltſhire, Glouceſter, and Sommerſet, or any of them, or elſwhere of like making, and all other Whites which ſhould be made in any other partes of this Realme of England, and not before in the ſame Statute remembred, ſhould conteine in length being throughwet, betweene ſixe and eight and twentie yardes, and ſhould be ſeuen quarters of the yarde in breadth within the liſts at the leaſt, and liſted according to the ancient cuſtome, and being well ſcowred, thicked, milled, & fully dried, ſhould weigh euery peece lxiiii. li. being white, and lx. li. being coloured at the leaſt, as by the ſayd Act among diuers clauſes, articles, and prouiſions conteined in the ſame, more plainely is expreſſed. And whereas alſo in ỳ Parliament holden at Weſtminſter in the fourth and fifth yeeres of the reignes of our late Soueraigne Lord and Lady king Philip & Queene Mary, one other Statute was made, intituled, An Act touching the making of Woollen clothes, whereby alſo (amongſt other things) it was ordeined, eſtabliſhed, enacted and prouided, that euery white cloth which ſhould be made in the Counties of Wiltſhire, Glouceſter, and Sommerſet, or any of them, or

els where of like making appointed by the sayd Acte made in the sayd fifth & sixth yeeres of King Edward the first, to weigh lxiiii. li. should weigh being well scowred, thicked, milled, and fully dried lxi. li. at the least, with a prouision in the same last recited Act conteined, that no person or persons should incurre the danger, penaltie, or forfeiture limitted and appointed for any offence in the sayd former recited Act, which was mitigated or otherwise appointed by the sayd Act, made in the fourth and fifth yeeres of king Philip and Queene Mary, as by the same Acte made in the fourth and fifth yeeres of king Philip and Queene Mary, amongst diuers clauses, articles, and prouisoes therein conteined, more plainely is expressed. Sithence the making of which sayde seuerall Statutes, although the makers of the sayd clothes haue endeuoured themselues according to their best skill and industrie to performe and fulfill the sayd recited Statutes in euery of their clothes, as much as in them did lye, as touching the breadth of Clothes, and to that ende and purpose haue allowed and doe allowe so much yarne and stuffe to euery such Cloth as might sufficiently serue to make all the sayd Clothes full out in length and breadth, according to the sayd former Statute made in the fifth & sixth yeres of King Edward the first, and in weight according to the sayd branch of the sayd Statute, made in the fourth & fifth yeeres of the reignes of the late king Philip and Queene Mary: yet notwithstanding many times by reason of the diuers natures in the wools, and by the great diuersities in the spinning, carding, and milling, many of the sayd Clothes made within the sayd Counties of Wiltshire, Glouceſter, Sommerſet, and Oxon. and else where of like making, doe not containe full seuen quarters in breadth, according to the sayde Statute made in the fifth & sixth yeeres of King Edward the first, & yet doe holde their ful weight or more according to the former statute made in the time of the sayd king Philip and Queene Mary, and no default touching the breadth can iustly be imputed to the maker thereof, for that the sayd Clothmakers (as experience dayly sheweth) can not obserue the sayde former Statutes in all the sayd Clothes as touching the breadth, although they endeuour themselues neuer so much thereunto, which Clothes not conteining their full assise in breadth as is aforesayd, are many times taken and sized by the Searchers of London, when they come to their Market at Blackwellhall, to the great losse and dammage of the sayd Clothmakers, and to the great hinderance of Clothmaking within the sayd Counties: In consideration

ſideration whereof, albeit it is not hereby intended to repeale or make voyde the ſayd former recited Eſtatutes or either of them, otherwiſe then is hereafter expreſſed, yet neuertheleſſe, be it enacted by the Queenes moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authoritie of the ſame, that no perſon or perſons ſhall be hereafter charged for any ſuch default which hereafter ſhall be in any of the ſayd Clothes mentioned in this Acte for want of breadth of ſeuen quarters, ſo that the ſame Cloth doe conteine in breadth being throughly wet, fiue quarters and an halfe at the leaſt within the liſts vnwrought and liſted, according to the ancient cuſtome, any thing in any of the ſayd former Statutes mentioned to the contrary in any wiſe notwithſtanding.

Prouided alwayes, and bee it enacted by the authoritie aforeſayde, that if any of the ſayde Clothes ſhall not conteine fiue quarters and a halfe at the leaſt within the liſts as aforeſayde, that then euery perſon offending in that behalfe, ſhall for euery ſuch Cloth be ſubiect to ſuch paines, penalties, and forfeitures, as were by force of the former recited Statute of the fifth and ſixt yeeres of King Edward the ſixt, to haue bin forfeited for want of breadth of ſeuen quarters within the liſts.

And be it neuertheleſſe enacted by the authoritie aforeſayde, that if any Cloth to be made within any of the ſayd Counties, or els where of like making, called Narrowliſted Whites, being well ſcowred, thicked, milled and fully dryed, ſhal conteine in weight any leſſe then lxi. li. at the leaſt, or if any cloth to be made within any of the ſayd Counties or els where of like making, called Broadliſted Whites, being well ſcowred, thicked, milled, and fully dryed, ſhall conteine in weight any leſſe then lxiii. li. at the leaſt, or if any of the ſaid Clothes called Narrowliſted or Broadliſted Whites, ſhall conteine in length any more then twentie and eight yardes at the moſt: that then euery of the ſayd Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures for euery pound ſo wanting of the ſeuerall weightes aboue limitted, and for euery yarde ſo exceeding in length, and not weighing after ſuch rate as is before expreſſed, as by the ſaid Statute of the fourth and fifth yeeres of king Philip and Queene Mary is prouided & appointed. This Act to indure and continue for the ſpace of fiue yeeres next after the end of this Seſſion of this preſent Parliament, and from the ende of the ſayd fiue yeeres, vntill the ende of the next Seſſion of Parliament then next enſuing.

An acte concerning making of woollen Clothes in the Counties of Deuon and Cornewall, called plaine white Straightes, and pinned white Straightes.

Chapter xviii.

Where in the Parliament vpon prorogation holden at Westminster the xxiii. of Januarie in the fifth yeere of the reigne of the late King of famous memorie Edward the first, one Acte was made for true making of woollen Clothes: by which Acte amongst other thinges it was enacted, that from and after the feast of Saint Michael the Archangel next ensuing the making of the sayde Acte, no person or persons shoulde put any heare, flockes, or any yarne of lambes wool into any Cloth, Carsey, Frize or Cotton made and solde, or offered to be solde, as in the saide Acte is expressed, vpon paine to forfaite euery such Cloth, Carsey, Frize, and Cotton, wherein any such yarne, haire or flockes shoulde be put, or the value of such Cloth, Carsey, Frize or Cotton, as by the sayd act it doeth and may appeare. And whereas by another Acte made in the Parliament holden at Westminster in the seuenth yeere of the raigne of the sayde late King, entituled, An Acte for the making of plaine white Straightes, and pinned white straightes in Deuon and Cornewall, the sayde former acte was altered, and libertie giuen to the makers of the sayde clothes called plaine white Straightes and pinned white straights, to vse in making of the said clothes, flocks, heare, or yarne made of lambes wool, and by the saide Statute diuers rules and orders were appointed for making of the sayde clothes called plaine white Straightes and Pinned white straightes, as by the sayde Statute doeth appeare: Notwithstanding for that the orders and rules both by the sayde Statute made in the sayde fifte yeere, as also in the saide seuenth yeere of the sayde late King Edwarde the first, tende to the vtter vndoing and decaye of great nombers and multitudes of people which liue by the trade of clothing, and are not profitable any longer

ger to be kept in these countryes and places, where the sayde Clothes called plaine white Straightes and pinned white Straightes are vsually made, the same Clothes being but a base and course kinde of clothes, vsually made for the vse of poore people beyonde the Seas, and most commonly shipped into Brittaine, and there vttered for a marchandize to serue the vse of the poorer sort there: And especially for that sithence the making of the sayde Statutes the yarne wherewith the sayde clothes called plaine white straightes and pinned white straightes are vsually made to the great benefite of the poore people where the same are made, is growen smaller and finer, whereby many more poore people are set on worke with spinning of the same, then either at or before the making of any the sayd seuerall statutes they were, so that the weight, length and breadth can not agree as before it did in making of the sayde clothes:

Be it therefore enacted by the Queenes Maiestie our Soueraigne Ladie, the lordes spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, that the branch made in the sayde fifth yeere, which prohibiteth putting of heare, flockes or yarne made of Lambes wooll into any cloth or frize, hauing regard vnto the sayde clothes called plaine white straightes and pinned white straights, be vtterly repealed and made voide: And that the sayde statute also made in the sayde seuenth yeere of the raigne of the saide late king, and euery branch, Article and clause therein, be from henceforth vtterly repealed and voyde for euer: And that it be further enacted, that from henceforth it shall be lawfull to all and euery the Queenes Maiesties subiectes inhabiting, or which shall hereafter inhabite within the said Counties of Deuon and Cornewall, as wel in townes corporate, market Townes or elsewhere, to weaue and make the sayde clothes called plaine white straightes and pinned white straightes, and to vse and occupie in making of the said clothes called plaine white straightes and pinned white straightes, flockes, heare and yarne made of lambes wool, and to haue, keepe and vse in his and their houses three loomes and not aboue for making of the clothes aforesayde, and to make the same clothes of such length, weight and breadth as the marchant shal like or accept, to buy the same for marchandizes, or appoint the same to be made for the vse and most acceptable allowance of the countrey people where the same shall be transported for marchandizes, for that in trueth none

of

of the same are wrone or occupied within this Realme: The sayde statute made in the said fifth yere of the reigne of the said late king Edwarde the first, or any other lawe or statute heretofore made to the contrary notwithstanding.

Prouided alwayes, that in defrauding of her Maiesties custome, no piece of the said clothes shall be made aboue xii. poundes in weight, or aboue xiiii. yardes in length, or one yarde in breadth, vpon paine of forfaiture of all such clothes made ouer and aboue the sayde length, breadth or weight, or the value thereof: The one moitie to the Queenes Maiestie, her heires and successors, and the other moitie thereof to him that will sue for the same by writ, bill, plaint or information, in any court of Recorde, wherein no Essoine, protection or wager of lawe shall be allowed.

An acte for the preseruation of Timber in the Wieldes of the Counties of Sussex, Surrey and Kent, and for the amendement of high wayes decayed by carriage, to and from yron milles there.

Chapter xix.

WHereas by the ouer great negligence or nomber of yron workes which haue bene and yet are in the Wieldes of the Counties of Susser, Surrey & Kent, it is thought that the great plentie of Timber which hath growen in those parties, hath bene greatly decayed and spoyled, and wil in short time be vtterly consumed and wasted, if some conuenient remedie therein bee not timely prouided: Be it therefore enacted by our soueraigne Lady the Queenes Maiestie, the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, & by the authoritie of the same, that no person or persons from and after the feast of Easter, next after the ende of this

this preſent Seſſion of Parliament, ſhall make, erect, builde or newe ſet vp, at or in any place within the Counties of Suſſex, Surrey or Kent, or any of them, any maner of yron milles, forge, finarie, or blomarie, for the making or working of any maner of yron, or yron mettal, other then either vpon ſuch olde and former Bayes or Pennes whereupon hath lately bene, or at the time of the new erection ſhalbe then ſtanding ſome yron milles, forge or Hammer, or elſe in and vpon ſuch Landes as the partie or parties ſo erecting any ſuch intended new worke, ſhall continually furniſh the ſame with ſufficient ſupplie of his or their owne proper woodes, ſtanding or growing in or vpon his or their owne proper Soile or land, being to him or them in fee Simple, fee Taile, or for terme of life, or liues, without empeachement of waſte at the leaſt, and not otherwiſe: nor ſhall cõuert or employ, or cauſe to be cõuerted or employed to coales, or other fuell, for the making or working of yron or yron mettall, in or about any maner of yron milles, furnaces, Hammer, finarie, forge or Blomarie, the bodie or bodies of any ſound Timber, tree or trees, apt for the making of good ſufficient cleftwares or ſawing Timber of Oake, Aſhe or Elme, growing of the breadth or bigneſſe of one foote ſquare at the ſtubbe, or any part of the ſame bodie or bodies of any ſuch tree or trees, vpon paine of forfeiture for euery yron mille, forge, forge, finarie, or blomarie, made, erected, builded or ſet vp contrarie to the tenour and true meaning of this Acte, the ſumme of three hundred pounds, and for euery body of euery ſuch Timber tree ſo employed or conuerted to coale or other fuell, for the making or working of yron as is aforeſaid, the ſumme of fourtie ſhillings of lawful money of England, the one halfe of which forfeitures to bee to our Soueraigne Lady the Queenes Maieſtie, her heires and ſucceſſours, and the other halfe to him or them that will ſue for the ſame by Originall writ, Bill, plaint or information, wherein no eſſoyne, protection, or wager of lawe ſhall be admitted or allowed.

Prouided alwayes and be it further enacted by the authoritie aforeſaid, that it ſhall and may be lawfull to and for the owners of ſuch trees, the bodies whereof haue bene or ſhalbe from time to time conuerted and employed to, or for any maner of Timber or cleftware within the wieldes of Suſſex, Surrey or Kent, or any of them the ſame not being within eighteene miles of the citie of London, or eight miles of the riuer of Thames, or foure miles of the townes of Rie or Winchelſey, or within three miles of Haſtings, or within foure miles of the foote of the hilles

called

called the Downes, betweene Arundel & Pemesey in the Coũtie of Sussex aforesaide, or any of them to employ the toppes and offalls of all such trees, to or for coales or other fuell, seruing to or for yron workes at their owne will and pleasures, this Statute or any other to the contrary hereof in any wise notwithstanding. And forasmuch as the high wayes in the said Counties of Sussex, Surrey and Kent, are in many places greatly empaired & spoyled by meanes of carriages of coales, mines and yron, to and from the yron workes in the said Counties, to the great hinderance of the common passages of the Queenes Maiesties subiectes trauailing through the same: For remedie whereof, be it further enacted by the authoritie aforesaid, that the occupyers of all maner of yron workes whatsoeuer, as owners or farmors of the same, by or for any estate or estates of inheritance for life, liues, or for terme of yeere or yeeres, which shall at any time hereafter carrie or cause to bee caried any coales, mine or yron, to or for any their yron works, betweene the twelft day of October, and the first day of May yeerely, shall likewise yeerely carrie and lay, or cause to bee caried and layed for euery sixe loades of coales or mine, aswell as also for euery Tunne of yron which shalbe caried by any maner of Waine or Cart, betweene the saide twelft day of October, and the first day of May, yeerely by the space of one mile thorowe any high wayes, being vnder any the hilles commonly called the North downes of Surrey and Kent, to or from any maner of yron worke, one vsuall Carte loade of sindar, grauel, stone, sand, or chalke, meete for the repayring and amending of the saide high wayes, to be layed and employed in such place and places of the high wayes, as any Justice of the peace of any of the Counties aforesaid, dwelling neere vnto the places where the high wayes within the limits aforesaid, shalbe most annoyed by any the meanes aforesaid, according to the greater and more present necessitie shalbe appointed or assigned, or else pay or cause to bee payde, for and in allowance of euery Carte loade, in maner and forme aforesaid to haue bene so caried and layd, two shillings and sixe pence, within eight dayes after the demaunde thereof, to the handes of the said Justice of peace or his assignee, the same to be leuied after default of payment vppon the demaunde thereof from time to time, vpon such yron as shalbe by and thorowe the same high wayes so caried by way of distresse. And if such Justice of peace by reason of absence or other occasion, doe not or shall not within fourtie dayes next after the saide first day of May, yeerely assigne or

appoint

appoint where and in what place of the high wayes, the saide sindar, grauell, stone, sande or chalke to be caried as aforesaide shalbe layde, or where and howe the money thereof due or so paide, shalbe employed and bestowed: That then the same sindar, grauell, stone, sande, or chalke, shalbe layed and employed, by such person and persons as by this Act are to carrie and lay the same, or to cause the same to be caried & layed in such place and places of the high wayes, as the Surueyours of the high wayes within the Parish for the time being, where the high wayes shalbe most annoyed as is aforesaid, shall assigne or appoint, or in default thereof pay to the said Surueyours for euery such loade due and vncaried, two shillings and sixe pence in maner and forme aforesaide, vpon paine of forfeiture of tenne shillings for euery loade of sindar, grauell, stone, sand or chalke not caried, layed and employed in the high wayes, or two shillings and sixe pence vnpaide as is aforesaid, to be forfeited, and payed by the person and persons which by this Acte ought to carrie and lay, or cause to be caried and layde, the sindar, grauell, stone, sand or chalke, or therefore to haue paide as is aforesaide, after due presentment and conuiction thereof had before the Justices of Oyre and Terminer, or Justices of Peace in any of their open Sessions or Sessions to be holden before them or any of them. All which summe and summes of money to be forfeited by reason of this Act, for or in default of carriage and laying of the saide sindar, grauell, stone, sande or chalke, or payment thereof due as aforesaide, shall be likewise bestowed and employed vpon the amendement and repayring of the high wayes in the said Parishes, where the cause of forfeiture by default or refusall grewe and was giuen, at and by the discretion of any such Justice of Peace as shall dwell and be reliant nert vnto the place or places being most annoyed by the carriages aforesaid, and where the money therefore due should haue bene paide as aforesaid, and the same to be leuied by way of distresse by any Constable, Tythingman, Hedborough, or other officer thereunto to bee assigned by warrant made in open Sessions by any Clarke of the Peace of the Countie where any the offence or offences aforesaide shalbe committed, or by any two Justices of the Peace, whereof one to be of the Quorum, which were present at the Sessions, wherein the saide conuiction of, or for any the offences aforesaide shalbe had. And if no sufficient distresse can be found by the saide officer appointed to leuie the same, or if the saide offendour shall obstinately refuse to pay the same forfeiture, or doe not pay the same within twentie

dayes after a lawfull demaunde of the same, by the said officer to be appointed for the leuying thereof as aforesaide, that then euery person so denying or refusing, and not paying the same forfeiture within twentie dayes as aforesaide, to forfeite the double summe he should before haue payde, to be leuied by such wayes & meanes, as to two of ỳ Justices of Peace of the same Countie where ỳ said offence shalbe committed, whereof one to be of ỳ Quorum, shalbe thought most meete: the same forfeiture to be likewise employed vpon ỳ amendement of the high waies, as the other forfeiture should haue bin, if the same had bene leuied, according to the true intent & meaning of this Statute.

An acte for the preseruation of the hauen at Plymmouth.

Chapter xx.

WHERE as your Maiesties Towne of Plymmouth in the Countie of Deuon, being an ancient Borough towne, bordering vpon the mayne Sea, yet hauing a pleasant and safe harborough & rode for shippes within or neere the same, commonly called, Plymmouth Hauen, where aswel your Maiesties shippes, as the shippes and vessels of diuers your Highnesse subiects trading into forreine partes, and from port to port within this Realme, doe often vpon necessitie and otherwise arriue, harborough, refresh and victaile themselues, aswell with fresh water, being a thing very necessary for them, as with diuers other things, hath for the most part of the yeere none, or at the least very litle fresh water within a myle of the sayde Towne, or thereabout, a matter very incommodious, by reason whereof, your Maiesties shippes, and the shippes of your Highnesse subiectes, arriuing and harbouring in the saide hauen, as is aforesaid, the Mariners of the same are many and oftentimes driuen by necessitie to goe a mile or more from the said Towne and their shippes, to fetch fresh water for their necessarie

ceſſarie vſes: By reaſon whereof diuers times they loſe diuers good windes and opportunities, which they might take benefite of, if they might water themſelues neere their ſhippes, beſides the ſaide Towne being ſubiect to fire, aſwell by the enemie (for the ſame was once burned by the Frenche in the time of warre) as by negligence and other miſhappe at home, there is no water in or neere the ſaide Towne for the moſt part of the yeere (eſpecially in the ſommer time when the dangers be greateſt) then a myle, or ſometime more, as the dzieth is. And where alſo the ſaid hauē of Plymmouth being one of the principall hauens and harborroughes of the weſt partes of England, doth daily querre & fill with the ſande of the Tinnewoorkes and Mynes neere adioyning to the ſame, and in ſhort time wil be vtterly decayed, if ſome redreſſe and ſpeedy remedy be not had: And where alſo there is a water or Riuer within the ſaid countie of Deuon, called the water or riuer of Mewe, alias Meuye, diſtant from the ſaid Towne about eight or tenne miles, part of the which water or Riuer with ſome charge wil be brought into the ſayd Towne of Plymmouth, without any great preiudice or dammage to any owner or owners of any lande through which the ſame ſhalbe conueyed, by reaſon (the moſt part) in effect all the ſame land is either barren & heathie, or elſ hillie and drie groundes, which will be bettered and amended by the water that ſhall be brought through the ſame. By bringing of which water, moſt of the incommodities and dangers, and diuers others, ſhal not onely be remedied, but alſo ſome part of the Chanell of the ſaide hauen ſcowred & cleanſed by the ſame Riuer, to the perpetual continuance of the ſame hauen: a matter moſt beneficiall to the Realme. And where alſo the inhabitantes of the ſame Towne are incorporated by King Henry the firſt, by the name of the Maior and Comminalty of Plymmouth, which is confirmed by your Maieſtie & diuers your noble Progenitors kings of this Realme: may it therefore pleaſe your moſt excellent Maieſtie of your moſt noble and aboundant grace and accuſtomed fauour, that it may be enacted by this preſent Parliament, that it ſhalbe lawful to and for the ſaide Maior and Comminaltie, and to their ſucceſſors, at al times after the feaſt of Eaſter now next comming, to digge & myne a Ditche or Trenche, conteining in breadth betweene fiue or ſeuen foote ouer in all places, through & ouer all the lands & grounds lying betwene the ſaid Towne of Plymmouth, and any part of the ſaid Riuer of Mewe, alias Meuye, and to digge, myne, breake, banke and caſt vp all and all ma-

nerdf rockes, ſtones, grauell, ſande and all other lettes in any places or groundes for the conuenient or neceſſary conueying of the ſame riuer to the ſaid Towne, and further from time to time to do reparation, and make weares, bankes, and al other things neceſſarie, whereby the ſaid Riuer may be brought and continue vnto the ſaid Towne, without let, denial, vexation or trouble of the lorde or lordes, owner or owners of the ſame ground, or of any other perſon or perſons by ſuite in the Law or otherwiſe, vpō paine of xx.li. for euery time that they or any of them do attempt the contrary thereof: the one halfe thereof to be to our ſaid Soueraigne Ladie, and the other halfe to the ſaid Maior and Comminaltie and their ſucceſſors, to be recouered by action of debt, bill, playnt or information, wherein the partie defendant ſhall not wage his Lawe, nor in the ſaid action, actions or ſuites, any eſſoyne, licence or protection ſhall bee allowed, the ſaide Maior and Comminaltie giuing and paying to the lorde or lordes, owner or owners of the ſoyle where ſuch things ſhalbe made or done, in recompence and ſatisfaction of and for the lande or ground ſo to be digged or mined, for the full and abſolute purchaſe of the ſame, to them and their ſucceſſors, ſo much money as by the two Juſtices of the aſſiſe of the Countie of Deuon for the time being, ſhall be adiudged, ordeined and determined: And alſo giuing and paying to the tenaunts, fermors and occupiers of ſuch land or ground for ſuch hurtes or loſſes as they or any of them ſhall haue or ſuſtaine by the ſame, as much as ſhabe aſſeſſed, adiudged and determined by the ſaid ii. Juſtices of aſſiſes: the ſame recōpence & ſatisfaction as wel concerning the lord or lords of the land, as the tenants, fermors & occupiers of the ſame, to be payed by the ſaid Maior & Comminaltie of the ſaide Borough for the time being, or their ſucceſſors, within the ſpace of ſixe weekes next after the rating, aſſeſſing & determining of the ſame, vnleſſe the ſaid Maior & Comminaltie & their ſucceſſors can otherwiſe cōpounde and agree with the lordes, tenauntes, fermors and occupiers of ſuch lande and grounde, or with any of them. And in caſe it happen the Maior and Comminaltie of the ſaid Borough to make default of payment of the ſaide recompence and ſatisfaction, and reſiſt to pay the ſame as is before reheaſed, that then the lorde, lordes, owner, owners, tenauntes, fermors and occupiers of ſuch land or ground, that is agrieued therewith, and to whome the recompence & ſatisfaction ought to be payed, ſhall and may lawfully commence, affirme & take his or their action of debt by the courſe of the common Lawe, againſt

againſt the Maior and Comminaltie of the ſaid Borough for the time being, and their ſucceſſors for recouerie of the ſame in any Court of this Realme, at the will & pleaſure of the partie grieued, and the like proceſſe thereupon to be had, as in action of debt at the common Lawe, grounded vpon contract or ſpecialtie hath vſed to bene had, in which no wager of Lawe, eſſoyne, or protection ſhalbe allowed.

Prouided alwayes, and it is further enacted by this preſent Parliament, and by the authoritie of the ſame, that the ſaide water ſhall not be conueyed through the houſe, garden or orchard of any perſon or perſons, or through any part thereof, without compoſition to be firſt had with the owners and occupiers of the ſaid houſes, gardens and orchardes.

Prouided alwaies, that this Acte nor any thing herein contained, ſhal extend to giue libertie, as aforeſaid, to bring the ſaid water, or any part thereof, out of his auncient courſe, to or for any intent or purpoſe mentioned in this Act, vnleſſe euery ſuch perſon and perſons as are owners of any mylle or mylles ſituate and ſtanding vpon or neere the ſaide Riuer of Mewe alias Meuie ſhalbe firſt compounded withall as aforeſaid, if the ſaid milles ſhal by the bringing of the ſaid water or any part thereof vnto the ſaid Towne of Plimmouth be impaired or hindered.

An acte for the preſeruation of Orforde Hauen.

Chapter xxi.

FOraſmuch as the Hauen of Orforde in the Countie of Suffolke is greatly ſhoulded and decayed, by the abuſe of certaine Stalboats and vnlawfull nettes, ſet aſwel in the ſayd Hauen, as alſo in a place called the Gull, being a branch of the ſayde Hauen, whereby the great deſtruction of the frye of fiſh there enſueth by reaſon of the ſmalneſſe of the Maſhes of ſuch nettes as they vſe, and alſo the ſayde Hauen and Gull by the continuall ſtanding of the ſayd Stalboates and vſing of the ſayd nettes, the courſe of the tydes being thereby hindered, ſo that the ſayde Hauen and Gull, with ſande, ſoyle, ſulfe, and peeble ſtones are

become of much lesse depth then heretofore they haue bene, to the great perill of shippes and vessels vsing that Harborough, and likely to be much more perillous, or els shelfed vp, and so the vse of the Hauen and Gull to be vtterly lost, if speedy remedy be not herein prouided: Be it therefore enacted by our Soueraigne Lady the Queenes Maiestie, the Lords Spirituall and Temporall, and with the assent of the Commons in this present Parliament assembled, and by the authoritie of the same Parliament, that from the first day of August now next ensuing, it shall not be lawfull to any maner of person or persons whatsoeuer, to set any net or nettes with any boate or boates called a Stallboate, or other boate or vessell whatsoeuer within the entrie or mouth of the said Hauen, or in the sayd Gull, except the maske or shale of euery such net throughout the whole net doe conteine two ynches and a halfe at the least in wideneſſe from knot to knot, vpon paine to forfeite for euery time that any net or nettes shalbe set or placed in the said Hauen or Gull not being of the maske or shale aforesayde, the summe of fiue pounds of lawfull English money, together with the netor nettes so set, or the value thereof, the one moytie whereof shalbe to the Queenes Maiestie, her heires and successors, and the other moytie to him or them that will sue for the same in any of her Maiesties Courtes of Recorde at Westminster, and not els where, by action, bill, plaint or Information, wherein no Essoyne, protection or wager of lawe shalbe admitted or allowed.

An Acte for the bringing of the Hauen of the Citie of Chichester by a newe cut Channell, to the Suburbes of the same Citie.

Chap.xxii.

WHereas the Citie of Chichester, in ỹ Countie of Sussex, is a very auncient Citie, holden by the Maior, and Citizens thereof in fee farme of the Queenes Maiestie, and being scituate nere the Sea coast, hath a very faire Hauen, which doth ebbe & flowe within one mile of the saide Citie, which Hauen is able to harbor in safetie in extremitie of tempest and foule

foule weather on flote at lowe water, a great number of Shippes, and is therefore very necessary and commodious to all her Maiesties subiects, trading and traueyling the Seas by that coast, either in time of warre or peace, whether it be to forreine partes, or within the Realme, in so much that it is taken to be at this present, ỳ best Hauen betweene Portesmouth, and the Thames mouth: For the better maintenance of which Hauen, and the ease of all Merchants and others hauing accesse thereunto, the Maior and Citizens of the said Citie, (who by the bountifulnesse of her Maiesties Progenitors likewise haue and holde together with the said Citie, the saide Hauen, watercourse and Streame thereof, with diuers other Royalties, Liberties, Priuiledges and Customes thereunto belonging, and thereby arysing to them & their successors for euer) haue of long time mainteined, and yet to their great charges, costes and expences, doe mainteine a Peere or Keye, which is built in the said Hauen with free stone, for the more commodious lading and vnlading of Ships and Vessels trading to and from the saide Hauen. Notwithstanding all which premisses, for that the saide Peere or Keye is about a mile and a halfe distant from the said Citie of Chichester, and hath neither at it, nor neere adioyning to it, any Warehouses, Storehouses, or other place of receipt, fit or conuenient eyther for the safe custody of wares or merchandizes, or for the lodging, harbouring or refreshing of Merchants, Mariners, and other Passengers, which there may happely be benighted, or arriue late, or in foule weather: And also for that the carriage of all maner of wares and merchandizes betweene the saide Citie and the saide Keye, is not onely growne of late yeeres to such an excessiue price and charge, by reason of the deepenesse, foulenesse, and tediousnesse of the wayes betweene the saide Citie and Keye, as is importable to Merchants, but also the cariages at diuers times of the yeere are not to be had for money, especially in Wheate season, Barley season, Haye haruest and Corne haruest, whereby the Lightermen many times lose their tides, the marchants their charge of lighterage, and the merchandize in the meane season left vpon the open Keye reddie to be spoyled and lost, or at the least in great danger if it be not attended and watched, the trade of merchandize and accustomed traffique vnto the saide Citie by the Hauen aforesaid, is very greatly decayed, and the saide Hauen nothing so well haunted and frequented with Merchants, as it hath bin heretofore, whereby is likely to ensue a great decay and impo-

uerilhing, not oncly of the ſtate of the ſaide Maior and Citizens, but alſo of all the Inhabitants of the Villages and Pariſhes nere thereunto adioyning. And for aſmuch as all the inconueniences and diſcommodities aforeſaide may be auoyded & taken away, by the bringing of the ſaid Hauen through the land to the ſuburbes of the ſaide Citie of Chicheſter, and that by the iudgement of diuers wiſe and diſcreete perſons ſkilfull and experienced in like workes, the ſaid Hauen with the confluence of ſuch Riuers, Brookes, and Springs of waters as are and riſe nere about the ſaide Citie of Chicheſter, may be very eaſily (in reſpect of poſſibilitie) cut out, trenched and drawen to the ſaid ſuburbes in ſuch ſort, that by meanes thereof Lighters, and ſmall Boates may paſſe vpon the ſame water to and fro betweene the ſaide ſuburbes of the Citie of Chicheſter and the Keye aforeſaid, to the great eaſe, profite and commoditie, aſwel of all the Inhabitants of the ſaid Citie, and the Countrey, & Villages nere adiacent, as for all Merchants hauing occaſion to trafique there.

In conſideration of all which premiſſes, & for diuers other commodious, profitable, and beneficiall cauſes which are like to enſue, aſwell to the whole common weale in generall, as to the ſaid Maior and Citizens, and to all Merchants and other particular perſons which ſhal haue occaſion to repaire thither: The ſaid Maior and Citizens of the ſaid Citie of Chicheſter, doe moſt humbly beſeeche your moſt Royall Maieſtie, that it may be enacted & eſtabliſhed in maner and fourme following: that is to ſay, That it ſhall and may be lawfull to the ſaid Maior and Citizens of the Citie of Chicheſter, their ſucceſſors and aſſignes, at any time or times hereafter, to aſſigne, appoint, limite and laye out ſuch, and ſo much conuenient and neceſſarie portions and quantities of grounde for the making of a newe Trenche or Chanell, from ſuch place of the Hauen of the ſaid Citie, vnto the ſuburbes thereof, betweene the Dell Keye there, and a place called Fiſhbourne, and of ſuch length and breadth throughout, as to them, their deputies and workemen, ſhall ſeeme moſt meete, conuenient and neceſſarie for the ſame, and in ſuch place and places, as they ſhall finde to be moſt apt, meete, and fitteſt for that purpoſe. And that it ſhall and may be lawfull for them the ſaide Maior & Citizens, their ſucceſſors and aſſignes, and their workemen, at all time and times at their pleaſures to haue, take, vſe and imploy to the purpoſe aforeſaid, the ſaid portions and quantities of grounds ſo by them, their deputies or workemen to be aſſigned, appointed,

pointed, limited and laid out as is aforesaide, in and by all the length and breadth that the said newe Cut, Trenche or Channell shall passe betweene the said Bell keye, and the said place called Fishborne, as shalbe sufficient and requisite for the passing and conueying of the water along the said Chantiell, vnto the suburbes of the Citie aforesaide, and also fiftie or threescore foote in breadth, on eache side of the saide newe Cut, Trench or Channell, by all the length of the same: so alwayes that they doe not in any one place take in breadth both in Channell and in ground on both sides of the water in the said newe Chaunell for the purpose aforesaid, aboue the breadth of two hundred foote in the whole, which space and breadth of ground is thought very needefull and requisite to be had, vsed and occupied for the saide newe Channell or Cut, and for the bankes and walles thereof on both sides, aswell for the apte and conuenient placing, laying, cariage, remouing & bestowing of such earth, grauell, mudde, and other soyle as shalbe cast out of the saide Channell or Trench, into places most fit and conuenient for the more strength of the same bankes & walles, and better safetie of the land on either side, against such Inundations of water as may happen. And also that all ỳ Queenes Maiesties people may with ease freely on foote or horsebacke, passe and repasse to and fro betweene the said Citie of Chichester and the olde Hauen aforesaide, vpon the saide bankes or walles. And also that thereby the Lightermen and Botemen, if neede be, may vpon the same grounde without offending any other, drawe their Lighters or Boates from place to place along the said newe Channell against the Tide or streame, as sometimes being laden they shalbe constrained so to doe.

And also that it may be likewise enacted, that the Maior and Citizens of the saide Citie of Chichester, and their successors for euer, shall haue, holde, possesse and enioy all the saide ground so by them, their deputies and workemen limitted, assigned, appointed and laide out as is aforesaide for the purpose aboue mentioned, in length and in breadth all along the saide newe Trench or Channell, aswell for the said newe Trench or Channell, as also for the bankes, walles and ground on both sides thereof, meete, necessary & conuenient for the Queenes subiects and people to passe, for such composition, summes of money, or other recompence, as then the saide Maior and Citizens, their successors or assignes shall compounde and agree with the lordes, owners & occupiers of the said soyle & ground.

And that it may be further enacted, that the Maior and Citizens

tizens of the saide Citie of Chichester, their successors and assignes for euer, shall and may haue, holde, possesse, vse, enioy, continue & execute all such iurisdiction, power, rule, gouernement, authoritie & correction of all the said newe Cut, Trench or Channel, and of the ground and bankes on both sides of the same, in maner and fourme aforesaide to be assigned, limitted, appointed and layd out, and all Royalties, Liberties, Franchises, Priuiledges, Customes, Fishing, Fowling, Lighterage, and all other profites, commodities, casualties and aduantages whatsoeuer, aswell of the same ground and soyle, as of the water in the saide newe Cut, Trench or Channell, and of either or any of them, in as large, ample and beneficiall manner, to all intents, constructions and purposes, as they the saide Maior and Citizens of the Citie aforesaid, nowe lawfully doe, or any of their predecessors at any time heretofore haue lawfully done, or of right may, should and ought to haue had, holden, vsed, enioyed and executed any iurisdiction, power, rule, gouernement, correction, realties, liberties, franchises, priuiledges, customes, fishings, fowlings, Lighterage, and all other profites, commodities and aduantages within the said Citie of Chichester, and the Liberties thereof, and in, by & throughe the seuerall Portes and Hauens of Undering & Hornemouth, and in and by all the Creekes, members and liberties of them, or any of them, according to the auncient customes had, vsed and enioyed by the said Maior and Citizens of the said Citie of Chichester, and their predecessors within the said Citie, and according to the fourme and effect of sundry Charters and Grauntes vnto them the said Maior and Citizens made and graunted by the Queenes most noble Progenitors, and by her Highnesse confirmed, or by any of those wayes or meanes.

And that it may also be enacted, that it shall and may be lawfull to and for the saide Maior and Cittizens of the Citie aforesaid, their deputies or workemen, to enter into any manner of landes nere adioyning to the saide newe Cut, Trenche or Channell, lying within halfe a mile of the saide newe Cut, Trench or Channell, there to viewe what Brookes, Waters, Streames & Springs are in the said lands, which Brookes, waters, Streames and Springs may fitly, necessarily and commodiously be brought and conueyed by Dike or Trenche, vnto the said newe Cut, Trench and Channell, to encrease the force of the fresh water in the said Trench or Channell, for the better mainteyning, continuing, clensing and scouring of the said newe Cut, Trench or Channell. Upon which viewe by them

them made, if any Brookes, Waters, Streames & Spryngs be found in any of the landes aforesaide, lying within halfe a myle of the said newe cut Trench or Channell, which will fitly, necessarily and commodiously serue for the worke and purpose aboue mentioned:

That it shall and may be likewise lawfull for the said Maior & Citizens, their deputies or workemen, to limite, assigne, appoint and lay out in any of the saide landes where such Brookes, Waters, Streames and Spryngs shalbe, such and so much conuenient portion and portions, quantitie and quantities of land, and in such conuenient place and places in the said landes, as shalbe thought aptest and fittest for the conueyance of the said Brookes, Waters, Streames and Spryngs, vnto the newe cut Trench or Channell aforesaid, as they the saide Maior and Citizens, their deputies or workemen shall thinke good for that purpose.

And that it may also be enacted, that after the saide portion or portions, quantitie and quantities of land, in any the seuerall grounds aforesaide, so by the said Maior and Citizens, their deputies or workemen in forme aforesaide, & for the purpose last before mentioned, shalbe assigned, limitted, appointed and laid out. That it shall and may also be lawfull to the saide Maior and Citizens, their deputies and workemen, to make Dikes, Trenches, or other necessary conueyances in the saide landes for the passing and conueying of the saide Brookes, Streames, Waters & Spryngs, from place to place through all the said landes, vnto the newe cut Trench or Channell aforesaide: And also to haue libertie from time to time to enter into the landes aforesaid, after the Dikes or Trenches shalbe there made (if neede so require) to repaire, amende, mainteine, clense, scoure, and keepe the same Ditches & Trenches there made, for the conueyance and passage of the saide Brookes, Waters, Streames & Spryngs, vnto the newe cut Trench or Channell aforesaid, without the let, trouble or deniall of the lordes, owners or occupiers of the same landes: The said Maior and Citizens, their successors and assignes, compounding and agreeing with the lordes, owners and occupiers of the same landes, for all such ground as they shall vse and implove in and about the said Dikes and Trenches, and yeelding also and paying vnto them such satisfaction and recompence for the same landes, with the losses, hinderances and damages, which they and euery of them shall susteine thereby, as shalbe concluded and agreed for, betweene the saide lordes, owners

and

and occupiers of the same lands, & the said Maior & Citizens.

And that it may likewise be enacted, that the Maior and Citizens of the said Citie of Chichester, their successors, deputies or workemen, shall not by vertue of this Acte, haue, take, vse or imploy any mans ground or land, to any the purposes or vses afore mentioned, vntill they haue compounded with the lordes, owners and occupiers of the same ground for the same.

Prouided alwayes that if any lorde, owner or occupier of any such grounde or landes, needefull or requisite to be vsed or imployed to or for the purposes aforesaide, shall refuse such summe or summes of money or other composition for his or their title, interest or estate, of and in the said landes as shal be to him or them offered or tendered by the said Maior and Citizens, their successors or assignes, for and in recompence thereof: that then it shall and may be lawfull to and for the lorde Chauncelor of Englande, or lorde Keeper of the great Seale for the time being, by his discretion, at the suite and petition of the Maior and citizens of the said Citie of Chichester, to appoint and authorize by commission vnder the great Seale of Englande twelue commissioners, whereof foure to be Aldermen or other discreete citizens of the saide citie of Chichester inhabiting within the said citie, and the other eight to be noble men or Gentlemen being in the commission of Peace in the sayde countie of Sussex, inhabiting within the saide countie, which twelue Commissioners or fiue of them, whereof two to be of the sayd Aldermen or Citizens of the said citie of Chichester, and the other foure to be of the saide noble men or gentlemen, by vertue of this Acte and of the saide commission, shall haue full power and lawful authoritie by their discretion to name, assigne, appoint and determine what summes of money, yeerely rent, or other recompence the lordes, owners and occupiers of all, or any of the landes or groundes to be limitted, assigned, appointed, and layde out for the purposes aforesayde, or any of them, their heires or assignes shall haue, take and accept of the sayde Maior and Citizens and their successors in full satisfaction of, and for the same lande and grounde, or of and for any other hinderance, dammage, losse, decaye or indempnitie that they, the saide lordes, owners and occupiers, or any of them, their heires or assignes shall or may haue or susteine by reason of the premisses, so as the same be set downe in writing, Indented vnder their handes and seales, whereof the one parte to be deliuered to the sayd lordes, owners and occupiers

occupiers of the saide landes and groundes, their heires or assignes, and the other parte thereof to the Maior of the sayde Citie for the time being, within one moneth next after the same shall be so set downe in writing: And that such lordes, owners and occupiers, their heires and assignes shall or may haue their remedie and recouerie of and for such money, perely rent, or other recompence against the Maior and citizens of the said citie of Chichester, and their successors and others, by action of debt, distresse or otherwise, as for such like thinges in cases at the common lawe is vsed, and like proces and proceeding to be therein, as in other like cases at the common lawe is vsed. And be it further enacted, that the Maior and citizens of the saide citie of Chichester and their successors, shal make and mainteine at their costes and charges, the hedges, bankes, walles and fences requisite and necessarie betweene the groundes so by them to be taken to the vse aboue sayde, and the groundes of other owners, and also conuenient Bridges and wayes for the passage of the Queenes liege people and their carriages.

Prouided also, and be it further enacted by the authoritie aforesayde, that no person or persons shall lade or vnlade any goods, wares or marchandize in the sayde new cut, trench or channell, but at such lading & vnlading place, wharfe or keye, as shall be made for that purpose, at or neere the ende of the saide newe cut, trench or channell next the sayde citie of Chichester aforesaide, vpon paine to forfayte for euery Tunne weight which shall be so laden or vnladen, in any other place in the saide newe cut, trench or channel, twentie shillings, and so after that rate: which said forfeitures shall be to the Maior and citizens of the said citie and their successors, to the vse aforesayde, the same to be recouered by the saide Maior and citizens and their successors by action of debt in any court of recorde: in which action, no essoyne, protection, or wager of lawe shall be alloweD. And that goods, wares and marchandise shall or may be laden and vnladen at the sayde lading and vnlading place, wharfe or keye so to be made at or neere the ende of the sayde newe cutte, trench or channell next to the said Citie of Chichester, as safely and lawfully to all intents and purpoles, as the same might haue bene laden or vnladen at the foresayde olde peere or keye before the making of this acte.

Prouided alwayes, that if the saide commissioners or fiue of them as aforesayde, shall name, assigne, appoint or determine any summe or summes of money, other then by payment of

yeerely rent to be giuen or paide by the sayd Maior and citizens or their successors, to the lordes, owners and occupiers of the same lande or grounde to be limitted, assigned, appointed and layde out for the purposes aforesaide, or any of them, that then before such time as the said Maior and Citizens or their successors shall haue, take, vse or imploye the sayde lande or grounde, or any parte thereof to the purposes or vses before mentioned, the sayde Maior and citizens or their successors shall pay or satisfie, or cause to be paide or satisfied the saide summe or summes of money to the said lordes, owners and occupiers, their executors or assignes, so that the saide lordes, owners and occupiers or any of them require and demaunde the same at the dwelling house of the Maior of the aforesayde citie of Chichester for the time being.

Prouided also that this present acte or any thing therein contained, shall not in any wise be auaileable, extende, or giue any libertie to the saide Maior and citizens, and their successors, or any of them, to haue or take any the landes, tenements or hereditaments, or any liberties, fraunchises, Realties, priuiledges, iurisdictions, rightes, customes or ducties of the right honourable Charles lorde Howarde, Baron of Effingham, lorde Chamberlaine of her Maiesties most honourable housholde, and of the most noble order of the Garter knight, his heires or assignes, of or in the mannor of Appledram in the countie of Sussex aforesayde, or any parte or parcell thereof or thereunto belonging or appertaining, or otherwise howsoeuer, without the speciall assent and agreement of the said lord Howard his heires or assignes first had and obteined in writing vnder his or their hande and seale.

An

An acte for Clothmaking

in the Townes of Boxstead and Langham, in the Countie of Essex.

Chapter xxiii.

WHereas by a certaine Act of Parliament beginning at Westminster the xx. day of January, in the fourth and fifth yeeres of the reignes of the late King Philip & Queene Mary, & there continued vntill the seuenth day of March, in the said fourth & fifth yeres of ỳ reignes of the said late King & Queene, amongst other things it was enacted, that from and after the first day of May then next following, no person or persons whatsoeuer should vse or exercise the feate or mysterie of making, weauing or rowing of wollen Clothes long or short, or Karsies, plaine whites, or plaine straightes, to ỳ intent to put the same to sale, but onely in a market Towne where Cloth had continually bin vsed to be made by the space of ten yeeres then last past, or in a Citie, Borough, or Towne corporate, vpon paine of forfeiture for euery such wollen Cloth or Karsey, made, wouen, or rowed out of such Citie, Borough, Towne corporate or market Towne, fiue pounds: And where also it is prouided in ỳ said Act, that it shalbe lawfull to any person then vsing or exercising the feate or mysterie of making, weauing, or rowing of Cloth, or Karsey, to inhabite or dwell where they then did dwell, and there to vse the making, weauing, or rowing of Cloth or Karsey as he hath heretofore, any thing in the sayde Acte notwithstanding: And where it is further prouided by the sayde Act, that it shall be lawfull to all and euery person or persons which then did, or after that time should inhabite or dwell in any of the Shyres of Northwales, Cheshire, or Lankashire, Westmerlande, Cumberlande, Northumberlande, Bishoprycke of Durham, Cornewall, Suffolke, Kent, the Towne of Goddelmine in the Countie of Surrey, or Yorkeshire, being not within twelue miles of the Citie of Yorke, or in any of the Townes or villages nere adioyning to the water of Strowde in the Countie of Gloucester, where Clothes haue bene vsually made by the space of twentie yeeres then last past, and hauing bene a Prentice to the

occupation of Clothmaking, or vsed the same by the space of seuen yeeres, to set vp, vse, and exercise the feate or mysterie of making, weauing, or rowing of wollen Cloth out of a Citie, Borough, or market Towne, as before they might haue done, any thing in the sayd Act to the contrary notwithstanding.

And whereas by one other Acte beginning at Westminster the xviii. of January, in the first yeere of the reigne of our Soueraigne Lady Elizabeth, the Queene that now is, and there prorogued vntil the xvb. day of the same moneth, and then there holden and continued vntill the viii. day of May, then next following, amongst other things it was enacted in maner and forme following, that forasmuch as the Townes, and villages of Bocking, Westbargholl, Dedham, and Cockshall in the Countie of Essex, be fayre large Townes and as well planted for Clothmaking, as the said Towne of Goddelmine, or better, and fewer Townes in this Realme better planted for that purpose, and haue bene inhabited of a long time with Clothmakers, which haue made, and dayly doe make good and true Cloth to the great common wealth of the countrey there, and nothing preiudiciall to, or for the Common wealth of this Realme, it was therefore ordeined and enacted by the authoritie of the sayd last rehited Parliament, that it should be lawfull to all & euery such person or persons which now doe inhabite or dwell, or hereafter shal dwel in the said Townes or villages of Bocking, Westbargholl, Cockshall, & Dedham, or in any of them, now vsing or exercising, or that hereafter shall vse or exercise the feate or mysterie of making, weauing, or rowing of Cloth or Karsey, by the space of seuen yeres at ỳ least, or haue bene Prentice thereto by the like space of seuen yeeres, to inhabite & dwel in the same villages & Townes of Bocking, Westbargholl, Cockshall, & in euery or any of them, & to vse the making & weauing or rowing of Cloth or Karsey, as before that time they might haue done, if the said Act had neuer bin made, any thing in the sayd Act to the contrary thereof made, or any other Acte, Statute or lawe heretofore made, or hereafter to be made, to the contrary therof in any wise notwithstanding.

And forasmuch as the Townes of Borstead and Langham in the sayd Countie of Essex, are faire ancient Townes, and aswell planted for Clothmaking, as any of ỳ said Townes of Bocking, Westbargholl, Dedham, and Cockshall, and fewe Townes in this Realme better planted for that purpose, and haue bin inhabited a long time with Clothmakers, which haue made, and dayly doe make good and true Cloth, to the great

great Common wealth of the Countrey there, by setting to worke a great number of poore people, aswell within the sayd Townes of Borsted and Langham, as in diuers other villages and Townes there round about, and being nothing preiudiciall to or for the Common wealth of this Realme: Be it therefore enacted and ordeined by the authoritie of this present Parliament, that it shalbe lawfull to and for all and euery such person or persons which now doe inhabite or dwel, or that hereafter shall inhabite or dwell in the sayd Townes or villages of Borsted and Langham, nowe vsing or exercising, or that hereafter shall vse or exercise the feate or mysterie of making, weauing or rowing of Cloth or Karsey, by the space of seuen yeeres at the least, or haue bene, or shall be hereafter Prentice thereunto by the space of seuen yeres, to inhabite and dwell in the sayde Townes or villages of Borsted & Langham, & there to vse the making, weauing or rowing of Cloth or karsey, as before the making of the sayde Statute of the fourth and fifth yeeres of the reigne of King Philip & Queene Mary they might haue done, and as the sayde Act had neuer bene had nor made, any thing in the sayde Act to the contrary thereof made, or any other Act, statute or lawe heretofore made to the contrary hereof in any wise notwithstanding.

An acte for the keeping

of the Sea bankes, and Sea workes,

in the Countie of Norffolke.

Chapter xxiiii.

WHereas in the Parliament holden at Westminster in the second and third yeres of the raigne of the late King Philip and Queene Marie, one Acte was made and ordeyned for the amending and maintaining of highwayes, which saide Acte hauing no longer continuance but for seuen yeeres after the ende of the same Parliament, was afterwardes by one other

Acte of Parliament made in the fifth yere of the Quenes Maiesties raigne that nowe is reuiued to haue further continuance for a certaine time yet enduring, in which sayde Acte made in the saide fifth yeere, and one other Acte made in the xviii. yeere of her Maiesties raigne, there were conteined diuers further additions and ordinances, tending to the amendment and maintenance of the said high wayes: And whereas the Sea bankes and Seawoorkes in sundry partes of the Sea coastes within the County of Norffolke, (not being within the particular charge of any person or persons, or of any Towneship, or to be maintained by any other common charge) are by ꝑ working of the Sea ruined & decayed, to the great hurt and preiudice of many Townes hippes within three miles of the said bankes and Sea woorkes, and likely daily more and more to growe in ruine and decay, if conuenient remedie be not prouided in that behalfe: And whereas the highwayes within three miles of the said Sea bankes and Sea woorks be so grauelly and sandy, as neither neede nor require for ꝑ amendment of the same so many of the said day woorkes, as be limitted and appointed by the said Statutes, the surplusage of which saide day woorkes, if it might be yeerely imployed towardes the repairing, amending and maintenance of such of the saide Sea bankes and Seawoorkes, as are not or ought not to be made & maintained at the particular charge of any person or persons, or at the charge of any Townes hippe, or by acreshotte, or other common charge, would be a singular benefite and helpe to the aforesaid Townes hippes within three miles of the saide Sea bankes and Sea woorkes so yeerely to be made and maintained: For remedie whereof be it enacted and ordained by authoritie of this present Parliament, that from & after the feast of Pentecost nowe next ensuing, the Justices of peace within the said Countie of Norffolke shall and may yeerely, at any generall Sessions to be holden within the said Countie, for and towards the making & amending of any the said Sea bankes or Sea woorkes, (nowe being, or that hereafter shalbe in ruine or decay) limit and appoint so many of the aforesaid day woorks, as by their discretions shall bee thought superfluous and not needefull to be employed towardes the amendement of the aforesaid highwayes within three miles of the said Sea banks or Sea woorkes which shall needefully require any such reparation or amendement.

And be it further enacted, that euery person and persons, dwelling within three miles of the said Sea bankes and Sea woorkes

worꝛkes needefully to be amended, as is aforeſaid, ſhal yerely vpon reaſonable warning giuen, during ſo many dayes as ſhall be limitted and appointed in the ſaid Seſſions, in reſpect of his and their labour and carriages, ſtand and be in that degree charged and chargeable towards the making, repairing and amending of the ſaide Sea bankes oꝛ Sea woꝛkes, as by the aforeſaide Statutes they ſtande charged and chargeable foꝛ the amendement of any high wayes, and that they & euery of them foꝛ the not doing & performing the ſame, ſhall incurre the like paine, penaltie and foꝛfaiture as is contained in the aforeſaide Statutes made foꝛ the amendement of highwayes, and euery of them. And that the ſaid Juſtices likewiſe in their aforeſaide generall Seſſions, ſhall and may nominate and appoint the High Conſtables of euery Hundred, that ſhalbe charged oꝛ chargeable by force of this Acte, towards the making oꝛ amending of the ſaide Sea bankes oꝛ Sea woꝛkes, to be ſurueiours of the ſaide Sea woꝛkes and Sea bankes, and that they and euery of them ſhal take vpon them the execution of the ſaid charge and office, and duely perfoꝛme the ſame, vpon ſuch like paine and foꝛfaiture as by the ſaide Statutes oꝛ any of them to be impoſed vpon any ſurueyour oꝛ ſurueyours, foꝛ not taking vpon him oꝛ them the office of ſurueyour foꝛ the amendement of the highwayes. And that euery perſon and perſons which ſhalbe yeerely charged to the making and maintenance of the ſaid bankes oꝛ ſea woꝛkes, ſhall be diſcharged of ſo many dayes towards the making of the high wayes, as ſhall be imployed and beſtowed towardes the making and amending of the ſaid Sea Woꝛkes and Sea bankes, all the ſaide penalties and foꝛfaitures to be leuied in maner and foꝛme as in the ſaide Statutes are limitted oꝛ appointed. This Act to endure and continue foꝛ the ſpace of fiue yeres, and from thenceforth vnto the ende of the Parliament next enſuing the ſaid fiue yeeres.

An

Chap.xxv. Anno xxvij.

An Acte for the explanation of the Statute, for the maintenance of Rochester Bridge.

Chapter xxv.

WHereas by the former part of the Statute made in the xviii. yeere of the Queenes Maiesties raigne, and by the Prouiso in the ende of the same Statute, the intent and meaning is, that the contribution money of the lands and tenements contributorie to the repaire & maintenance of Rochester bridge in the Countie of Kent, ought from time to time to bee taxed by the two Wardens and twelue Assistants of the saide Bridge, or by the more part of them (when neede of suche contribution should require) for supplie of those reparations of the sayde bridge, which the reuenues of the lands proper and belonging to the saide bridge will not suffice to doe: And whereas the saide two Wardens and twelue Assistantes, be euery yeere elected of the owners of lands contributorie as aforesaid, and the accounts of all receits and paiments are by the two Wardens euery yere duely made, and the money duely imployed as is limitted by the sayd late Statute, yet for want of expresse words, limiting that the said Wardens and Assistants should taxe the saide contributorie landes in suche case of want as aforesaid, the same Wardens and Assistants, hetherto haue ben doutful, & haue forborne to make such Taxe, and thereby haue bene forced vpon their owne credits and frendshippes, to procure ẏ want aforesaid to be supplied by some benevolẽt loanes & giftes of sondry persons, a matter very difficult, and not to be trusted vpon for perpetuall maintenance of the said bridge: Be it therfore declared, explaned, ordained and enacted by authoritie of this present Parliament, ẏ from time to time hereafter, as oft as the rents or other profites of the lands proper and belonging to the saide Bridge, shall not be sufficient to beare

beare the charge of reparations of the saide Bridge. The said two Wardens and xii. Assistants for the time being, being elected (of the owners of landes contributorie) or the saide two Wardens together with the more part of the said twelue Assistants, shall and lawfully may take all the saide contributorie landes and tenements, rating euery parish where those lands doe lie, reasonably and proportionably at such summe of money, and to be payed in suche maner and forme as by the saide two Wardens and xii. Assistantes, or the saide Wardens with the most part of the twelue Assistants as aforesaid (assembled at the accustomed place of election) shall be limited and appointed in writing vnder their hands and Seales: for due leuie and satisfaction whereof, it shall be lawful to any person by the said two Wardens and Assistants, or two Wardens with the most part of the twelue Assistantes, as aforesaide (vnder their handes and Seales in writing authorised) to leuie the same money tared, to take and sease the goods and chattels of any of the inhabitantes, or owners of contributorie landes, in the Parish where any part of the saide money so tared, shall be vnpaied, and to leuie the same money by sale of the said goodes and chattels, and if the goods or chattels so taken, seised & sold, shall amount to more value then the said Taration shall come vnto, that then the residue of the saide money, ouer and aboue the said Taration, shalbe deliuered vnto the person or persons, whose goodes or chattels shal be so solde. And for a conuenient assemblie to make a due election of suche Wardens and Assistants yeerely, as will be carefull for maintenance of the saide Bridge, it is further ordained and enacted by authoritie aforesaid, that euery yeere at the election of the saide two Wardens and twelue Assistants (by the said former Statute limited) two at the least of householders inhabitantes of euery parish, in which there are foure householders at the least, within seuen miles of the saide Bridge, and wherein any of the sayde contributorie landes doe lie, shal be present to giue their voices at the same election, vpon paine of tenne shillings to be forfaited by the inhabitants of euery such parish, making defaute of suche apparance, the same penalties to be leuied in forme as afore is limited, for leuying of the contribution money, tared as aforesaid, and to be imployed vpon the reparations of the saide Bridge, and the expences of the saide Wardens, Assistantes or inhabitantes, at the saide election day, to be paied or borne at their owne charges, euery man to beare his owne charge.

¶ An

An acte for explaning of the Statute for the amending of the Highwayes betweene Middleton and the Kings Ferrye, leading into the Isle of Sheppey in the Countie of Kent,

Chapter xxvi.

WHereas at the Parliament holden in the eighteenth yere of the Queenes Maiesties raigne that nowe is, there was one very necessary and profitable Lawe then made, for the repairing and maintaining of the Ferry and passage called the Kings Ferry, within the Isle of Sheppy in the Countie of Kent, & for the vsuall Highway leading from the market Towne called Middleton to the said Ferry: In & by which Acte or Statute for the repairing & amending of the said highway leading from Middleton to ỳ said Ferry, being in great decay, it is amongst other things enacted, that it should be lawfull from thencefoorth yerely during the space of ten yeeres, for iii. Justices of the peace, whereof one to be of the Quorum, nert inhabiting to ỳ said towne of Middleton within the said Countie of Kent, reasonably to assesse & taxe al and euery land occupiers dwelling out of the said Isle, and within foure miles distant from the said Ferry, as to their discretions should seeme conuenient, not exceeding the summe of one pennie, vpon euery acre of fresh Marshe and vpland in one yeere, and vpon euery tenne Acres of salt Marshe one penny in one yeere. And forasmuch as vpon the letter of the same braunche some doubt and question hath risen, whether the said Justices could sesse any but such as be lande occupiers, and dwelling out of the said Isle, and within foure miles distant of the said Ferry: And that thereby the taxations by them to be made by the letter of the said lawe, will not suffice to repaire the saide decayed wayes, for that the landes and groundes lying out of the said Isle, and within foure miles distant from the said Ferrie, are for the most part occupied by such persons as be inhabiting without the compasse of the said foure miles, by reason whereof the said Highwayes remaine still vnrepaired and not amended, and are growen into further decay, then at the time of the making

making of the said Statute they were, to the great daunger & annoyance of the Queenes Maiesties subiects passing by and through the same: For the better explanation of the said Statute, and for the redresse of the saide wayes, be it nowe enacted by the Queene our Soueraigne Ladie, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that yerely from henceforth for euer, betweene the feast of Easter and the feast of Pentecost, it shall and may bee lawfull to and for sixe, fiue, foure or three Justices of the Peace, whereof one to be of the Quorum, inhabiting within eight miles of the said Towne of Middleton within the said Countie of Kent, to assesse and tare vpon all and euery the landes and groundes lying and being without the said Isle, and within foure miles distant from the said Ferrie, such assessements and tarations for and towards the repairing and amending of the said highway, as to them shall seeme reasonable, notwithstanding that the owners or occupiers of the same landes or grounds be dwelling without the compasse of the saide foure miles, so that the same assessements and tarations exceed not aboue one penny for euery Acre of fresh Marsh and vpland for one yere, and not aboue one penny for euery tenne Acres of salt Marshe for one yeere, the said former Acte or any article, braunche or thing therein contained to the contrary thereof notwithstanding. And that the saide tarations and assessements shall be leuied and imployed for and towardes the repairing of the saide high way, by such person and persons dwelling out of the saide Isle within foure miles of the said Ferry, as by the Justices that shal assesse and tare the same shalbe limitted and appointed, and the same person and persons so to be appointed, to haue like power and authoritie for the leuying thereof by distresse, in such maner and forme as is limitted to the said Ferry Warden, by the said recited Statute for the leuying and gathering of assessements within the saide Isle, and the saide person and persons so to be appointed to accompt and to deliuer the arrerages thereof (if any happen to be) to the saide Justices at such time and place as by them shalbe appointed.

An

An Acte for the Inning of Earith and Plumsted Marshe.

Chap. xxvii.

Whereas diuers Statutes were and haue beene made & prouided before this time, in the v. viii. xiii. and xxiii. yeeres of the Queenes Maiesties most happy raigne, for the winning and Inning of the surrounded Marshes, lying & being in the Parishes of Earith, Lysnes, & Plumsted in the Countie of Kent, from the water and floudes of the riuer of Thames: And whereas John Baptista Castillion, Thomas Smith, George Barne, Richarde Young, Thomas Fisher, Ferdinando Poynes, James Guychardine, and Roger James, by lawfull assignements had, haue or ought to haue to them, their heires and assignes, all such authoritie, interest and benefite, as the Inners of any of them in any of the saide Statutes named, had or ought to haue, in or about the Inning or winning of the saide Marshes: And where, in and about the Inning and winning of the said Marshes, the said John Baptista Castillion, Thomas Smith, George Barne, Richarde Young, Thomas Fisher, Ferdinando Poynes, James Guichardine and Roger James, haue beene at great and excessiue charges, and by the meanes of shortnesse of time to them limitted and expired, as also by the default of vnskilfull workemen, who tooke vpon them the saide worke, the said Inners are in danger of great losse: And for that the Inning and winning of the saide Marshes is very beneficiall to the common wealth, the performaunce whereof requireth both a very great charge and long time: It is therefore nowe enacted by the Queenes most excellent Maiestie, the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled,

and

and by the authoritie of the same, that it shall and may be lawfull to the saide John Baptista Castillion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Poynes, James, Guichardine, and Roger James, their heires and assignes, and to euery other their seruauntes, factours, deputies, labourers & workmen, and to euery of them, at the costes and charges of the saide John Baptista Castillion, Thomas Smith, George Barne, Richarde Young, Thomas Fisher, Ferdinando Poynes, James Guichardine and Roger James, their heires and assignes, at all and euery time and times after the end of this Session of Parliamēt, during the terme of fiue yeres then next following, to Inne, fence and winne all and singular the grounds and Marshes aforesaide now surrounded or ouerflowen with water, or any part or parcell of them or any of them at their wills and pleasures, and to labour, worke and trauaile from time to time during the saide terme of fiue yeeres, in, about and vpon the Inning, fencing and winning of the said grounds and Marshes, and euery or any of them, or in, about and vpon the Inning, fencing & winning of any part or parcell of them, or any of them. And for the Inning and fencing of the said Marshes and grounds, and for the mainteyning and continuing of the Inning and fencing of the said Marshes and grounds to be Inned, to cutte and take so much growing Reede and earth, as is or shall be vpon the premisses, as shalbe necessarie for the first making of the wall of the saide Marshes, without contradiction or deniall of any person or persons: The valewe of the same Reede to be borne proportionablie by the owners of the grounds that shalbe Inned according to their seuerall quantities of their grounds that shalbe so Inned, and so likewise by the space of one yeere after such Inning, for the maintenance and repayring of the same wall, and not otherwise to be employed. And that immediatly after the substantiall Inning, fencing and winning of the said groundes and Marshes, or any of them, or any part or parcell of them, or of any of them from the saide water and floods as is aforesaide, the saide John Baptista Castillion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Poynes, James Guychardine, & Roger James, their heires and assignes, shall haue and enioye to them their heires & assignes for euer, the one halfe of all the said groundes so Inned, and the other part or remaine thereof, shall bee and belong to such owners as haue any Marshe land within that

parcell so Inned, according to the seuerall proportions of their quantities, rightes, titles and interests which they nowe haue in the saide parcell so Inned. And also in consideration that they the said Inners shall substancially and sufficiently mainteine and repaire the walles and bankes of the same Marshes so hereafter to be wonne, by the space of one whole yeere next after the Inning and partition thereof, at the costes and charges of the said Inners, they the said Inners shall further haue and enioy to them & to their heires one eight part of the other halfe of the saide groundes and Marshes so hereafter Inned, fenced and wonne, and shall likewise haue partition of the said eight part: And that the saide moytie and eight part that shall bee and apperteine to the said Inners, their heires and assignes by the partition thereof to be made, shall be holden of the Queenes Maiestie her heires and successours, as of her Mannour of Eastgreenwiche in the Countie of Kent, in free Soccage by Fealtie, and one Penie rent for euery Acre. And that further, in consideration of the great costes, charges and trauaile, aswell heretofore as hereafter to be susteined about the Inning of the same Marshes, the said moytie and eight part that shall apperteine to the said Inners, shall be discharged of all Parsonage Tithes whatsoeuer, for and during the Terme of seuen yeeres next after the Inning, winning and fencing of the same.

And it is likewise enacted by the authoritie aforesaide, that all Bondes, Couenants and agreements heretofore had or made, whereby the said Inners, their heires or Assignes should haue any lesse or shorter time for the Inning, winning and fencing of the saide Marshes, or whereby the same Inners, their heires and Assignes should haue and enioy any lesser or smaller portion of the saide Marshes for their charges, paines and industrie about the Inning & winning of the Marshes, then is limitted and appointed vnto them by this present Acte, and that all Bondes, Couenants and promises tending to the preuenting, hindering, or staying of the making of this Acte, shall be vtterly voyde, frustrate, and of no force or effect in the Lawe, any thing to the contrary thereof in any wise not withstanding.

And be it further by authoritie of this present Act enacted, that immediatly after the substantiall Inning of the sayde Marshes it shall and may be lawfull for the sayd Inners, their heires and assignes, and the surviuour of them, and the

heires

heires and assignes of euery of them, and the sayde owners of such grounds as shalbe Inned, their heires and assignes, or in default of the owners, vpon request thereof to be made by the sayd Inners their heires or assignes, to three or foure of the said owners, their heires and assignes to resort to the Right Honorable the Lorde Chauncelour of England for the time being: and that by the authoritie of this Acte, that the sayde Lorde Chauncelour shall and may awarde forth a Commission to such person and persons as to his discretion shall be thought meete, to make particion and diuision betweene the sayd owners and Inners, and also betweene the sayde owners according to the seuerall proportions of their quantities, rightes, titles and interestes which they nowe haue in the sayd parcels so Inned, according to the true intent and meaning of this statute: and vpon the making of the sayde deuision and partition, it is the true intent and meaning of the sayd Inners and owners and of this present Acte, that euery owner by indifferent appointment of the sayd Commissioners, shall haue his part assigned to him seuerally out of such of the sayde Inned Marshes, as was his owne proper lands before the making of this present Act.

Prouided also, that euery Owner and Inner that shall haue any land so Inned, shall haue fit and conuenient maine wayes for drift and carriage as neede shall require through the sayde Marshes that shall be so Inned, for the vse of their grounds Inned, without disturbance of the particular Owner or his or their heires or assignes.

Prouided alwayes, that this Acte shall not extend to the late Inned Marshes, commonly called or knowen by the name of Earith Marshes, or the bankes, wastes, and forelands of the same, or to the Reede or other commodities growing or comming, in, or by reason of the same or any part thereof.

Prouided also, and be it enacted by the authoritie aforesaid, that all such of the sayd surrounded Marsh lands as shalbe by the said Inners their heires or assignes, or any of them Inned, and are nowe holden of Edmund Cooke of North Cray in the Countie of Kent Esquire, as of his Mannors within the sayd Countie of Kent, called Lysnes and Fauntz, or of either of them, or which are parcell of the sayd Mannors or of either of them, shalbe holden of him the said Edmund Cooke, his heires and assignes onely, as of such of the sayde Mannors whereof

the sayd Marsh lands are nowe holden, or are parcell in soc-cage tenure by fealtie, and one penny rent yeerely to be payde at the feast of S. John Baptist, to the sayde Edmund Cooke his heires and assignes for euery acre of the same by such person and persons as are or hereafter shalbe Tenants thereof for all seruices.

God saue the Queene.